

## Appendix A

### Threshold Chart

Item	Appendix Page
CE Threshold Chart	A-1

## Categorical Exclusion Level Thresholds

	PCE	Level 1	Level 2	Level 3	Level 4 <sup>1</sup>
<b>Section 106</b>	Falls within guidelines of Minor Projects PA	"No Historic Properties Affected"	"No Adverse Effect"	-	"Adverse Effect" Or Historic Bridge involvement <sup>2</sup>
<b>Stream Impacts<sup>3</sup></b>	No construction in waterways or water bodies	< 300 linear feet of stream impacts	≥ 300 linear feet of stream impacts	-	USACE Individual 404 Permit <sup>4</sup>
<b>Wetland Impacts<sup>3</sup></b>	No adverse impacts to wetlands	< 0.1 acre	-	< 1.0 acre	≥ 1.0 acre
<b>Right-of-way<sup>5</sup></b>	Property acquisition for preservation only or none	< 0.5 acre	≥ 0.5 acre	-	-
<b>Relocations<sup>6</sup></b>	None	-	-	< 5	≥ 5
<b>Threatened/Endangered Species (Species Specific Programmatic for Indiana bat &amp; northern long eared bat)*</b>	"No Effect", "Not likely to Adversely Affect" (With select AMMs <sup>7</sup> )	"Not likely to Adversely Affect" (With any AMMs or commitments)	-	"Likely to Adversely Affect"	Project does not fall under Species Specific Programmatic <sup>8</sup>
<b>Threatened/Endangered Species (Any other species)*</b>	Falls within guidelines of USFWS 2013 Interim Policy or "No Effect"	"Not likely to Adversely Affect"	-	-	"Likely to Adversely Affect"
<b>Environmental Justice</b>	No disproportionately high and adverse impacts	-	-	-	Potential <sup>9</sup>
<b>Sole Source Aquifer</b>	No Detailed Groundwater Assessment	-	-	-	Detailed Groundwater Assessment
<b>Floodplain</b>	No Substantial Impacts	-	-	-	Substantial Impacts
<b>Section 4(f) Impacts</b>	None	-	-	-	Any <sup>10</sup>
<b>Section 6(f) Impacts</b>	None	-	-	-	Any
<b>Permanent Traffic Alteration</b>	None	-	-	-	Any
<b>Noise Analysis Required</b>	No	-	-	-	Yes
<b>Air Quality Analysis Required</b>	No	-	-	-	Yes <sup>11</sup>
<b>Approval Level</b>  <ul style="list-style-type: none"> <li>District Env. (DE)</li> <li>Env. Serv. Div. (ESD)</li> <li>FHWA</li> </ul>	Concurrence by DE or ESD	DE or ESD	DE or ESD	DE and/or ESD	DE and/or ESD; and FHWA

<sup>1</sup> Coordinate with INDOT Environmental Services Division. INDOT will then coordinate with the appropriate FHWA Environmental Specialist.

<sup>2</sup> Any involvement with a bridge processed under the Historic Bridge Programmatic Agreement.

<sup>3</sup> Total permanent impacts to streams (linear feet) and wetlands (acres).

<sup>4</sup> US Army Corps of Engineers Individual 404 Permit

<sup>5</sup> Total permanent and temporary right-of-way. This does not include reacquisition of existing apparent right-of-way.

<sup>6</sup> If any relocations are within an area with a known or suspected Environmental Justice (EJ) or disadvantaged population, or has greater than 5 relocations, a conversation with FHWA, through INDOT ESD, is needed to confirm NEPA classification and outreach plan for the project.

<sup>7</sup> Avoidance and Mitigation Measures (AMMs) determined by the IPAC determination key to be required that are not tree AMMs, bridge AMMs, or structure AMMs.

<sup>8</sup> Projects that do not fall under a Species Specific Programmatic and results in a "Likely to Adversely Affect". Other findings can be processed as a lower-level CE.

<sup>9</sup> Potential for causing a disproportionately high and adverse impact.

<sup>10</sup> Section 4(f) use resulting in an Individual, Programmatic, or *de minimis* evaluation. The only exception is a *de minimis* evaluation for historic properties (Effective January 2, 2020). If a historic property *de minimis* and no other use, mark the *None* column.

<sup>11</sup> Hot Spot Analysis and/or MSAT Quantitative Emission Analysis.

\* Includes the threatened/endangered species critical habitat

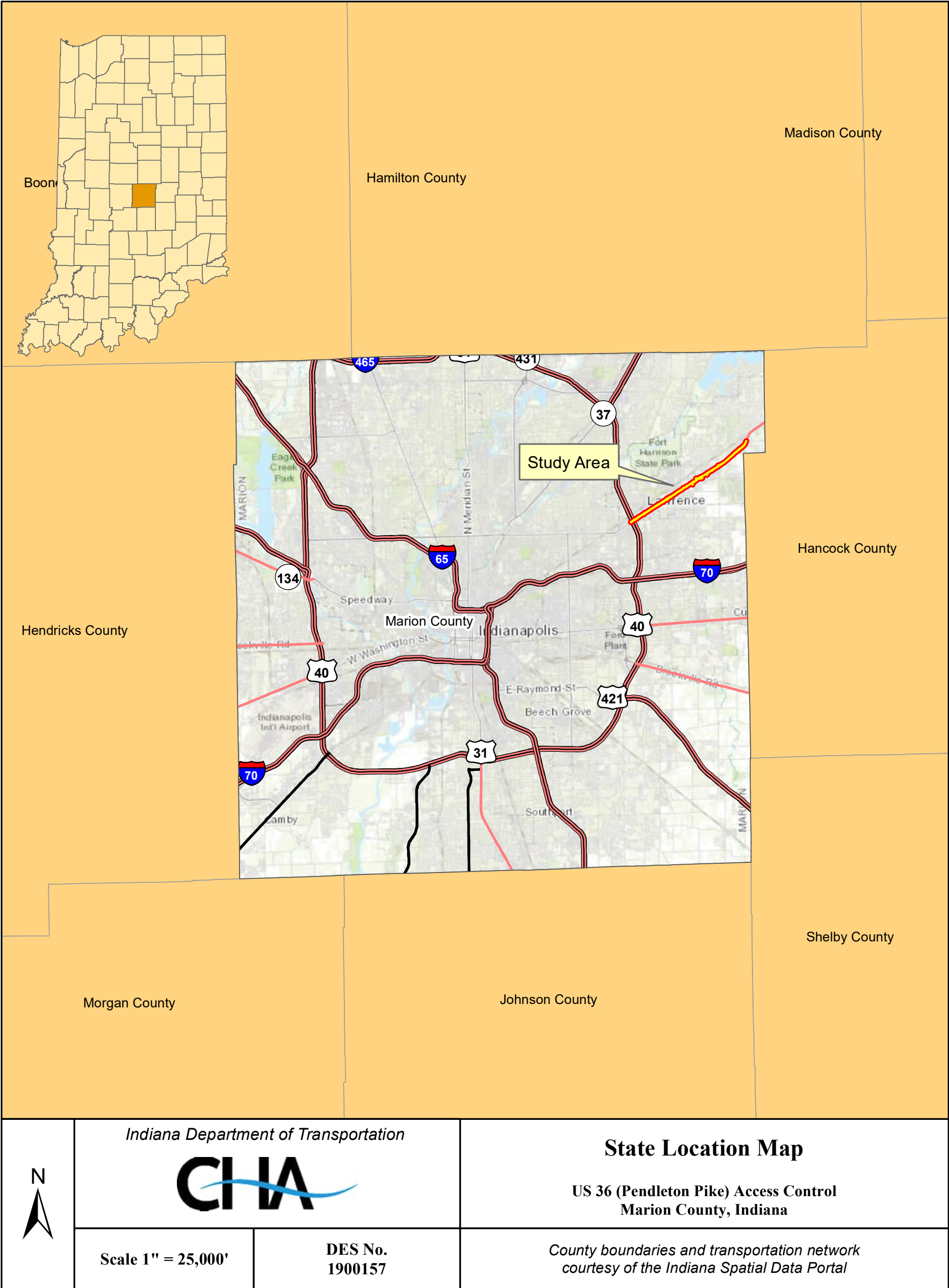
Note: Substantial public or agency controversy may require a higher-level NEPA document.

## Appendix B

### Graphics

Item	Appendix Page
State Location Map	B-1
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NWI Wetlands Map	B-10 to B-13
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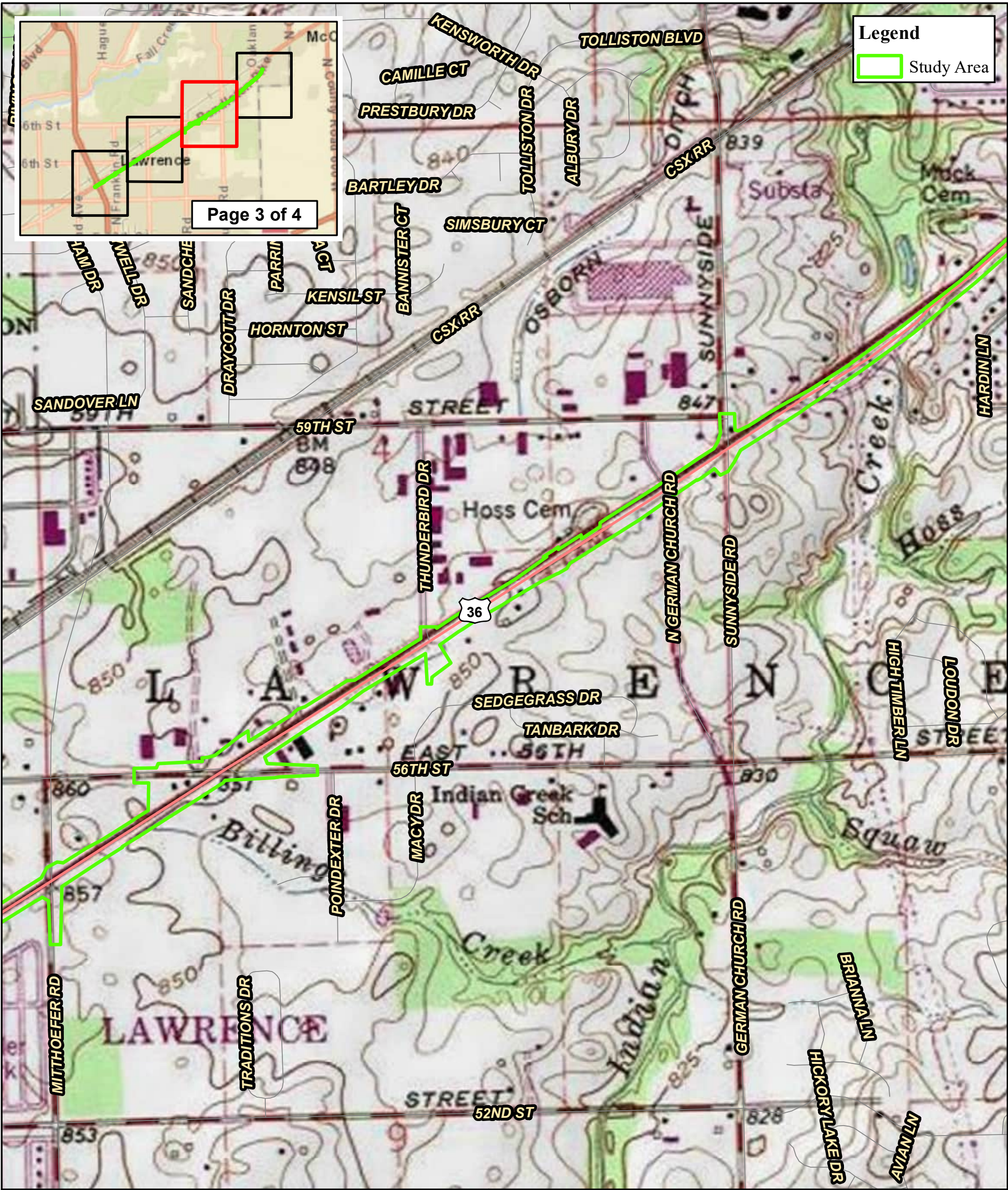














	Indiana Department of Transportation		<b>USGS Project Location Map</b>  US 36 (Pendleton Pike) Access Control Indianapolis Marion County, Indiana
			
	Scale 1" = 1,000'	DES No. 1900157	Service Layer Credits: Copyright: © 2013 National Geographic Society, I-cubed Mc Cordsville, Cumberland, & Indianapolis East USGS Quadrangles Date: 1998, 1988, & 2001









**Legend**

Study Area

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Indiana Department of Transportation



## Aerial Location Map

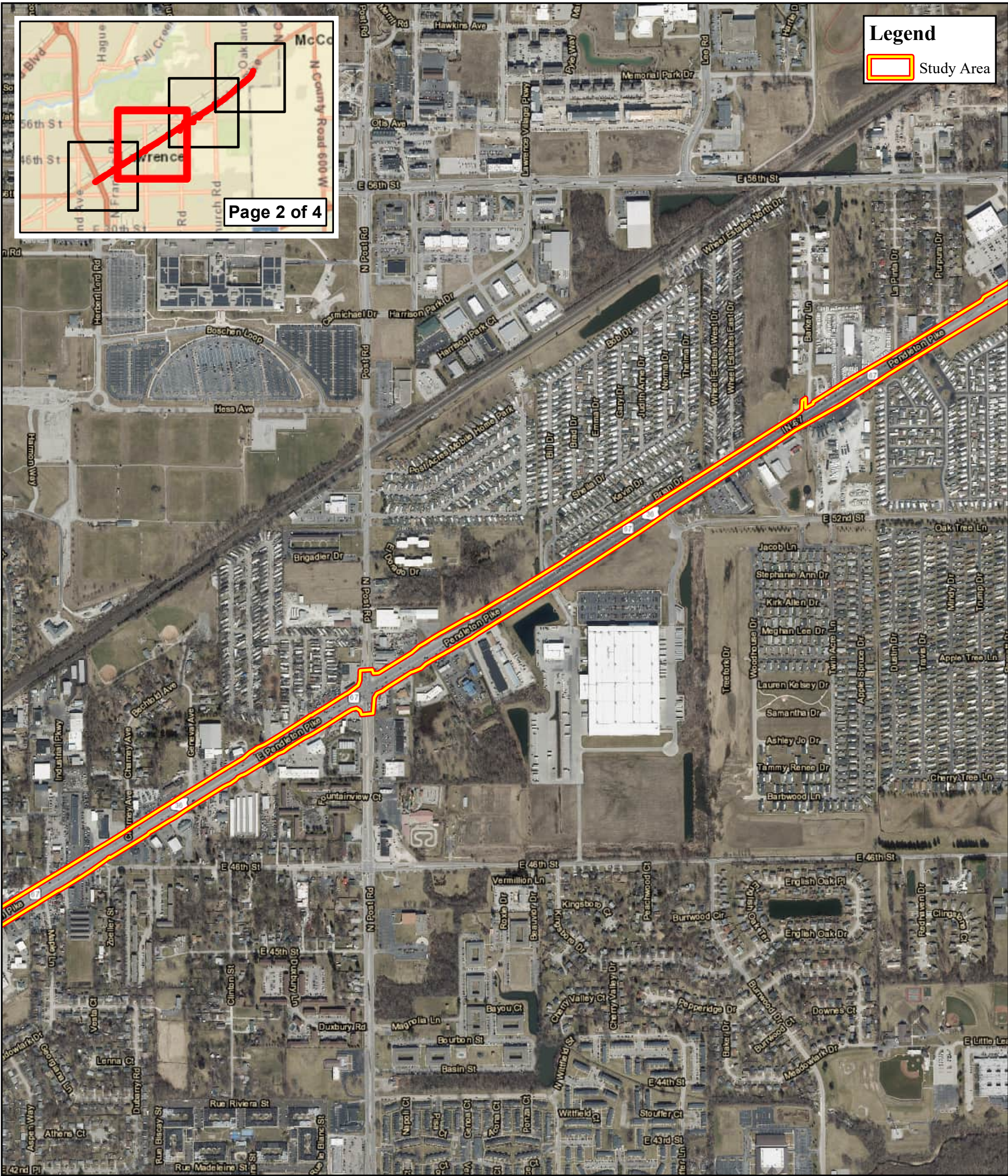
US 36 (Pendleton Pike) Access Control  
Marion County, Indiana


Scale 1" = 1000'

DES No.  
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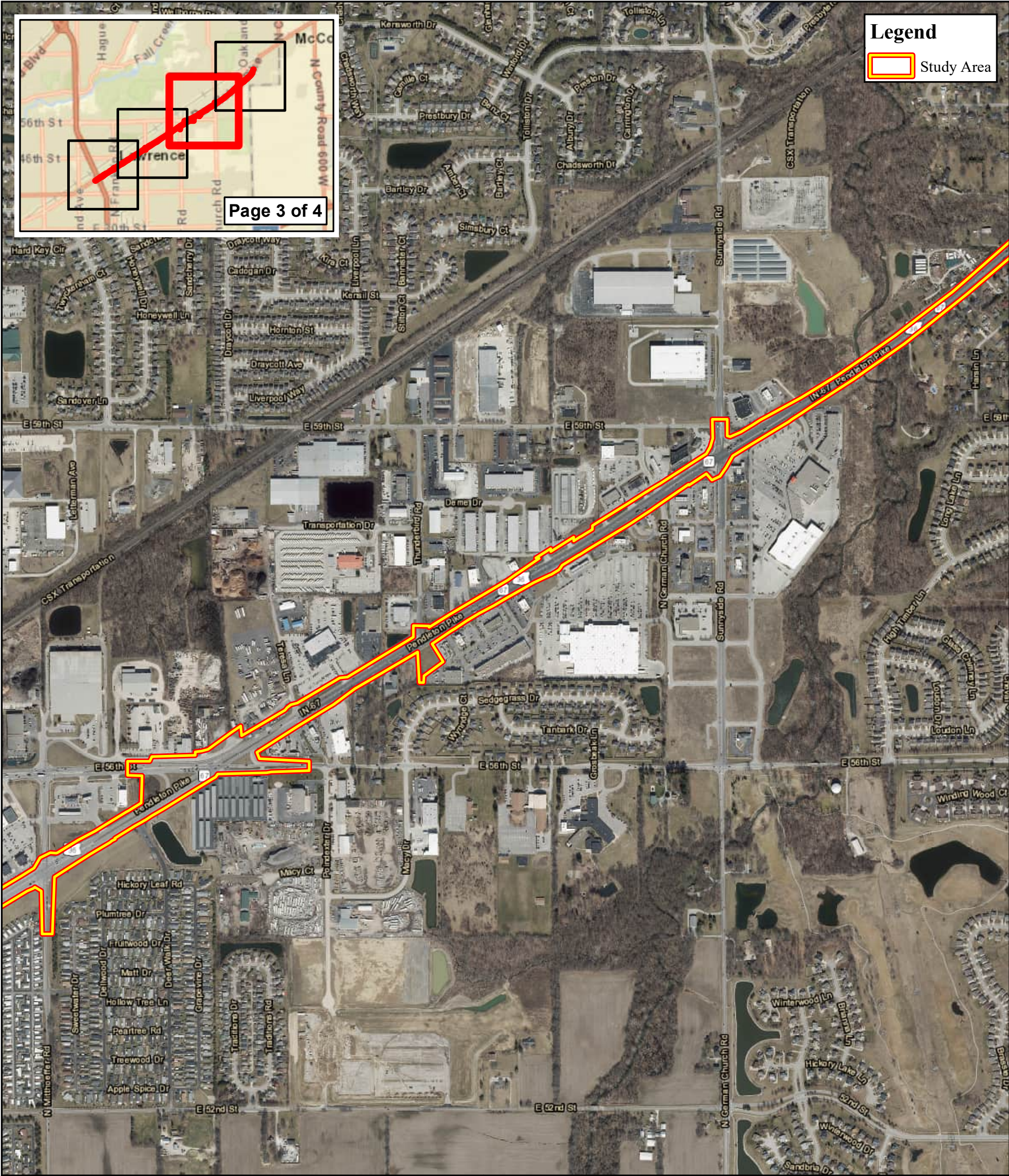
Image Courtesy of the IndianaMap  
Photo Date: 2017





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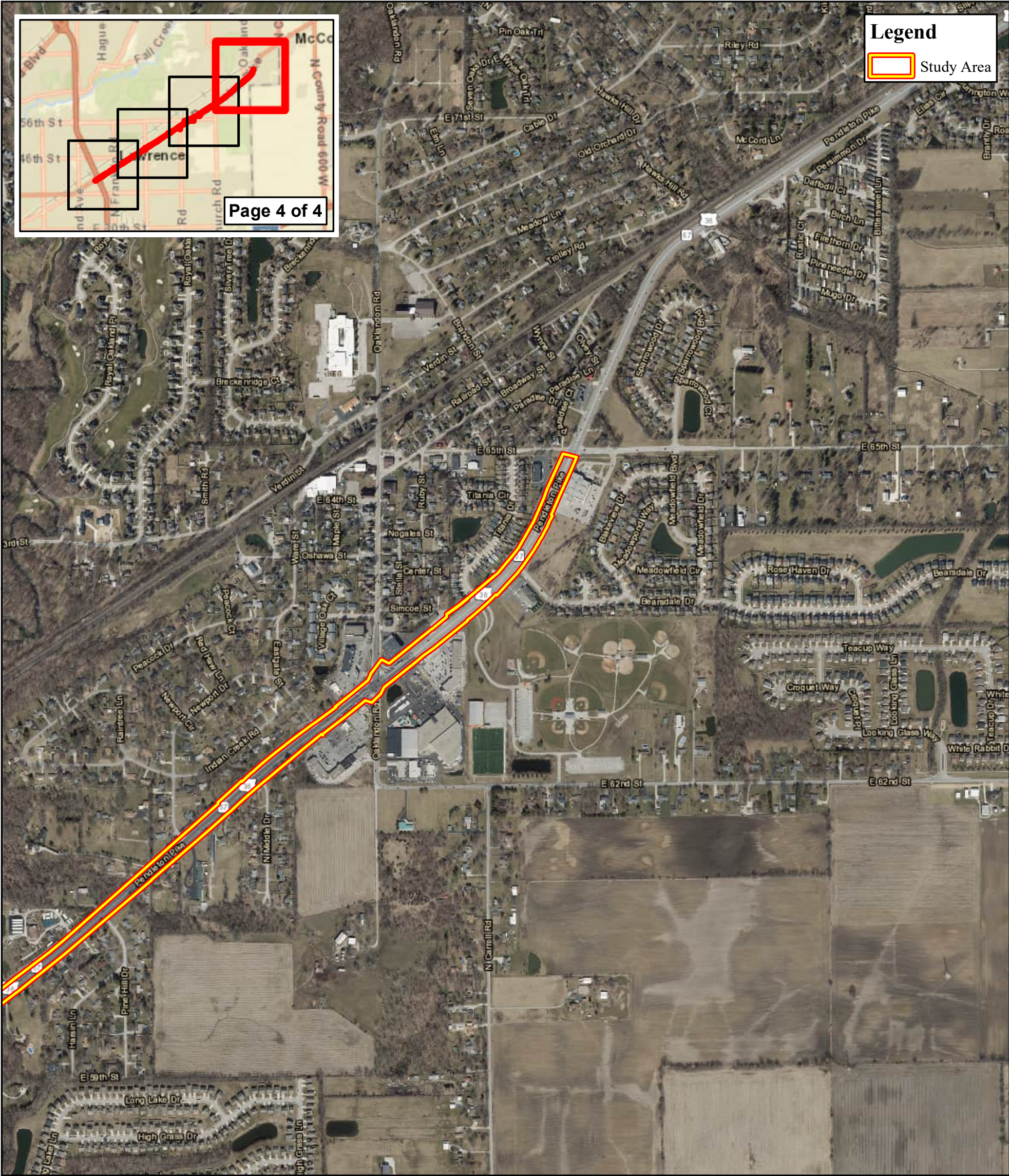
Page 3 of 4


Legend

Study Area

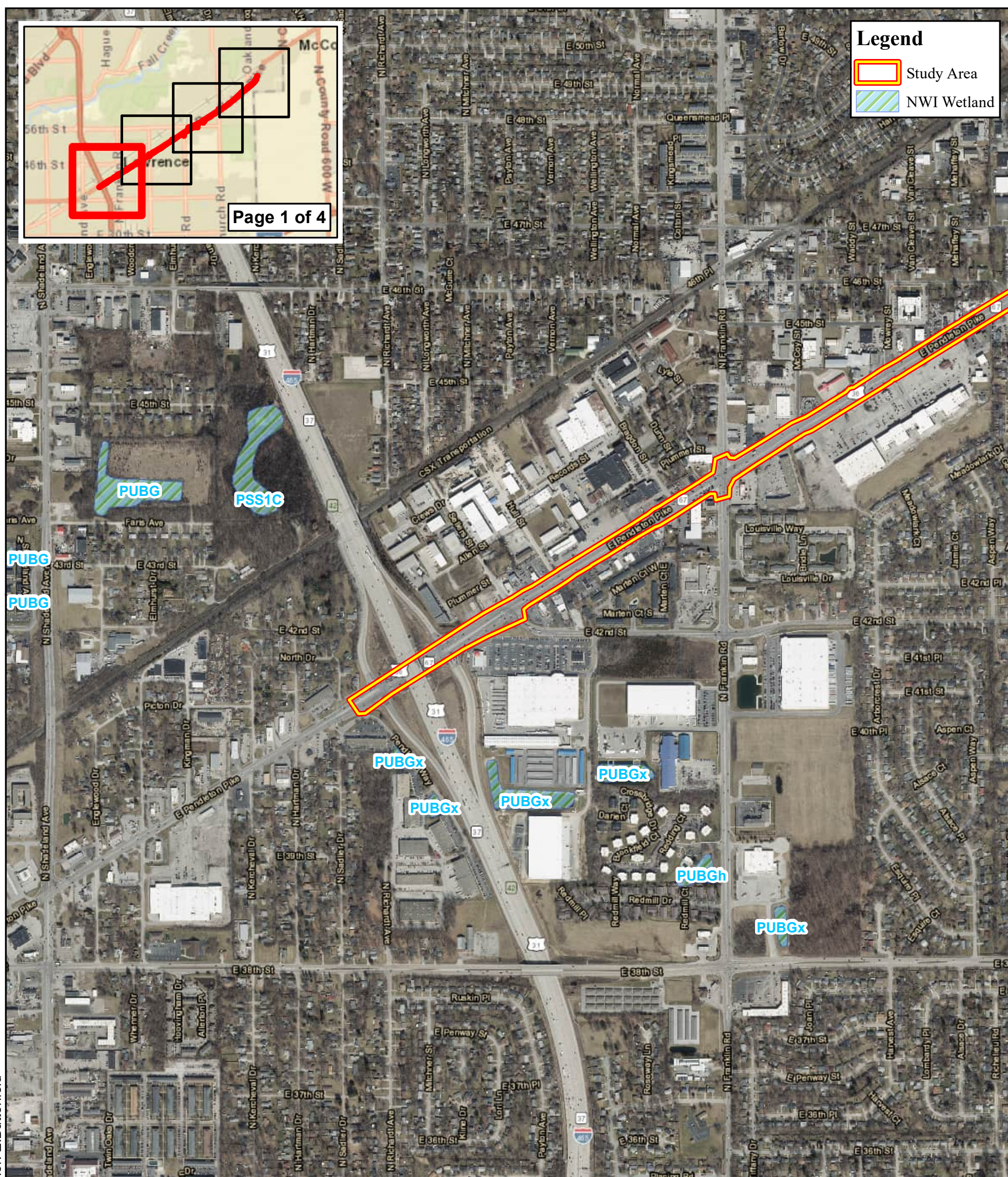
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	Indiana Department of Transportation		<b>Aerial Location Map</b>  US 36 (Pendleton Pike) Access Control Marion County, Indiana
	Scale 1" = 1000'	DES No. 1900157	





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*Indiana Department of Transportation*



**Scale 1" = 1000'**

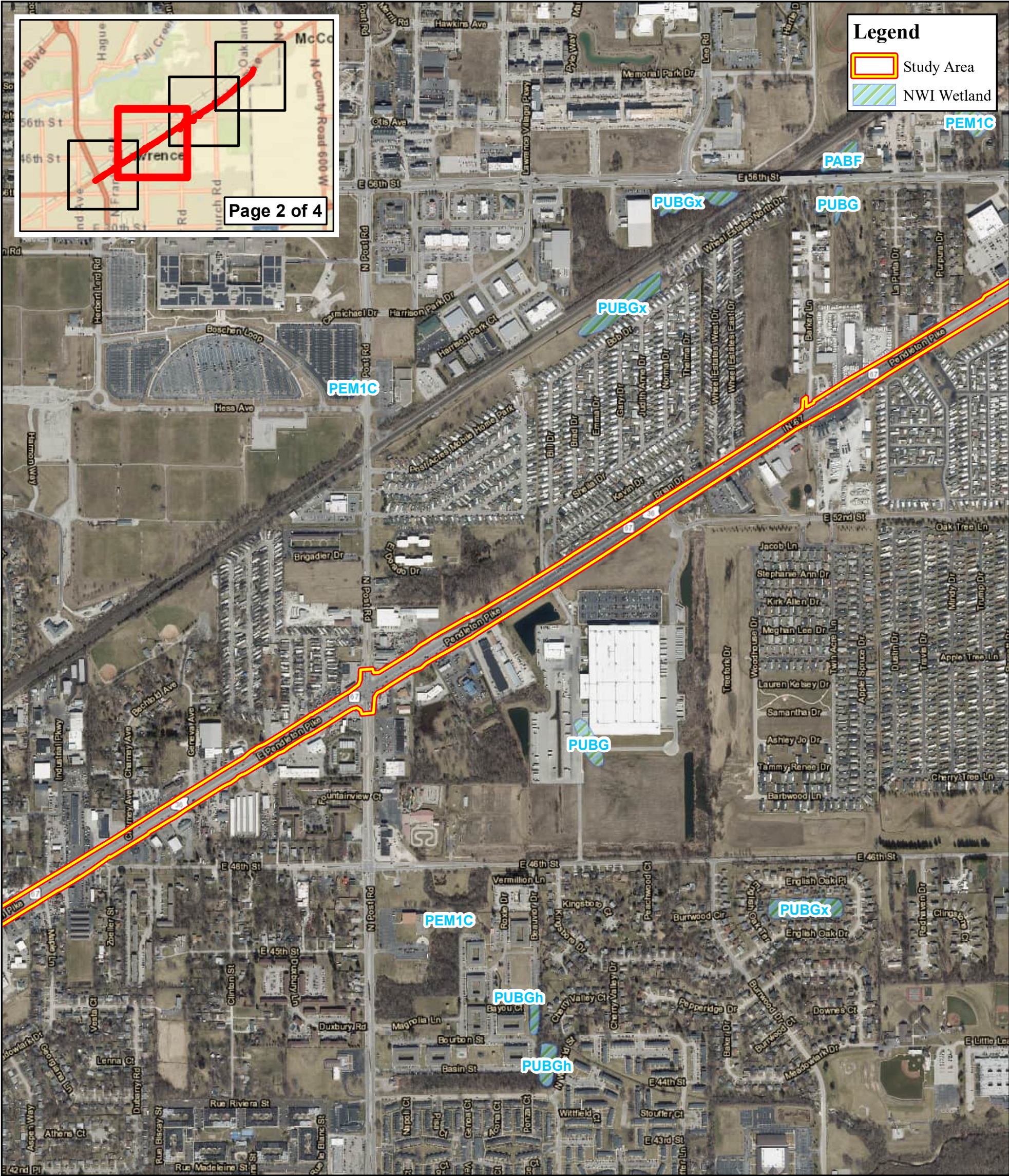
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# NWI Wetlands Map

## US 36 (Pendleton Pike) Access Control Marion County, Indiana

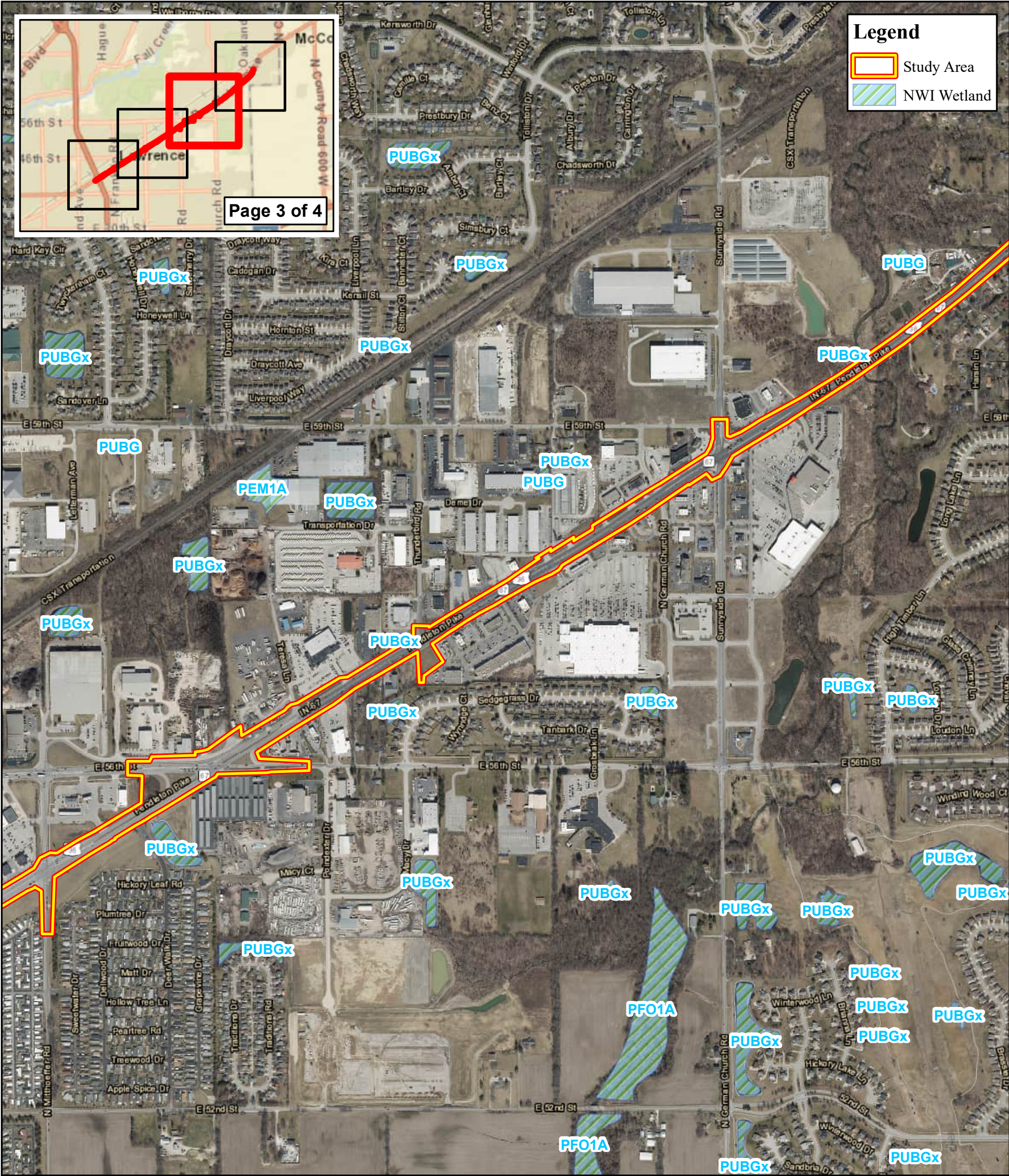
Image Courtesy of the IndianaMap - Photo Date: 2017  
NWI Wetland data courtesy of the  
National Wetlands Inventory produced by the U.S. Fish and Wildlife Service







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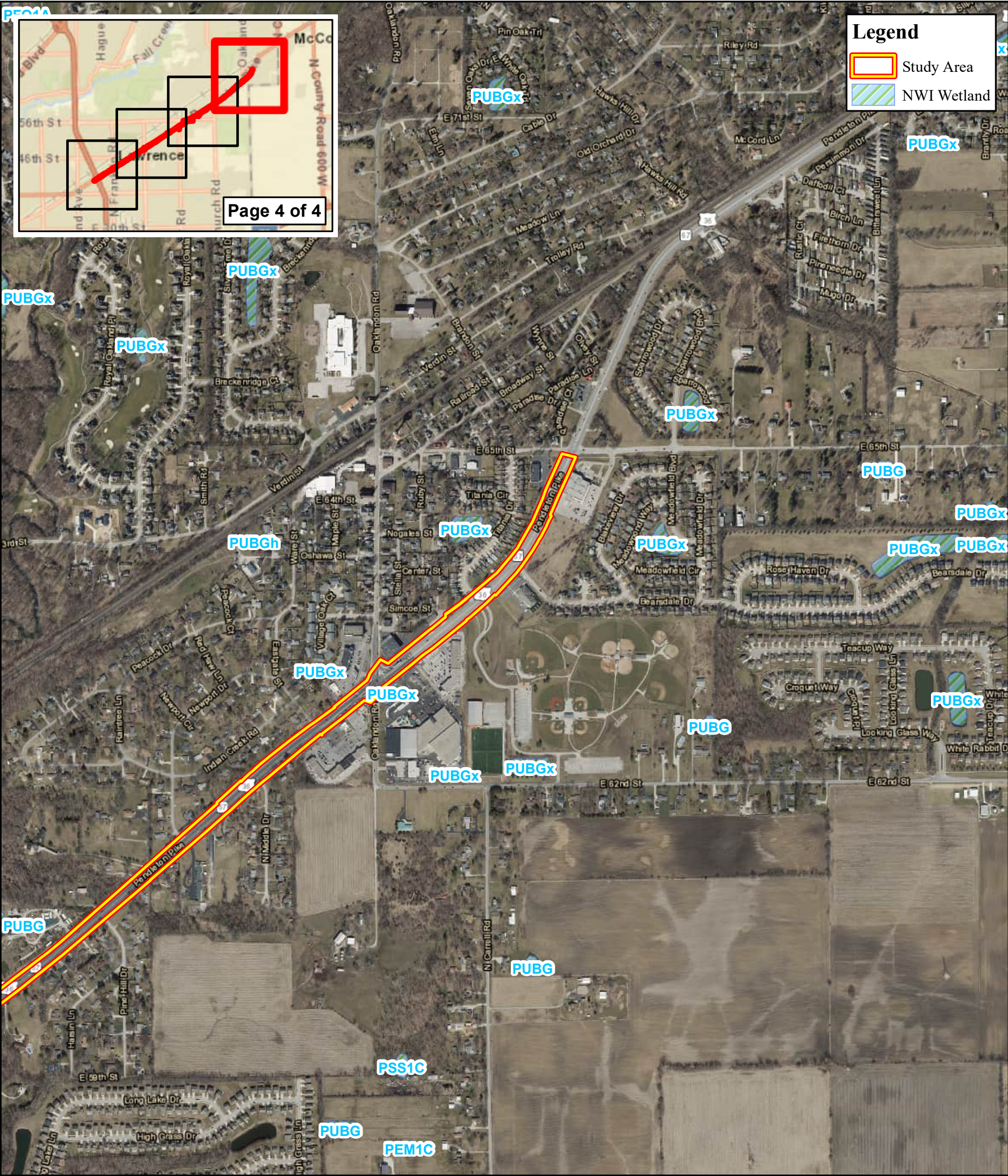





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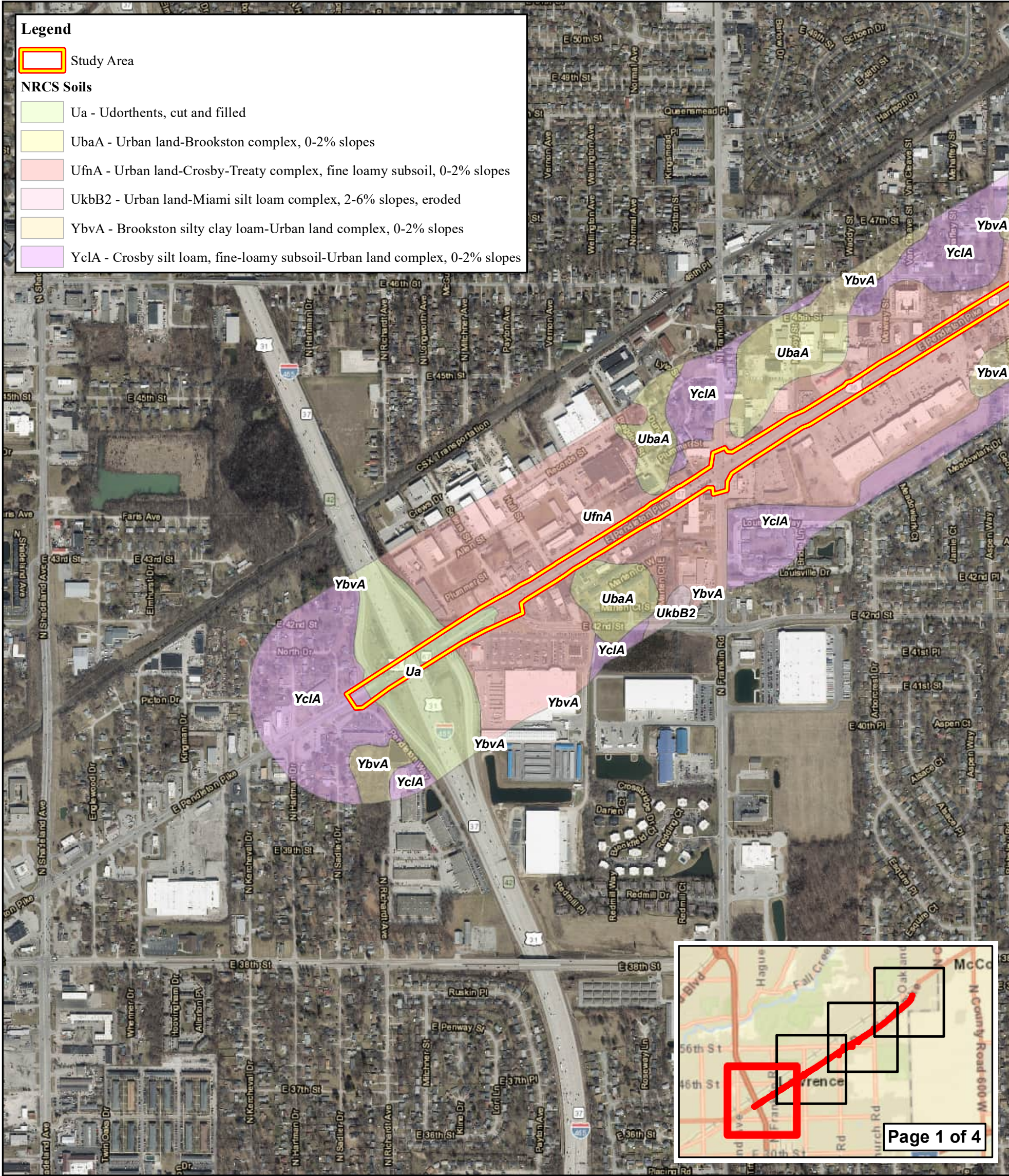




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	Scale 1" = 1000'	DES No. 1900157	Image Courtesy of the IndianaMap - Photo Date: 2017 NWI Wetland data courtesy of the National Wetlands Inventory produced by the U.S. Fish and Wildlife Service







Legend

Study Area

NRCS Soils

UbaA - Urban land-Brookston complex, 0-2% slopes

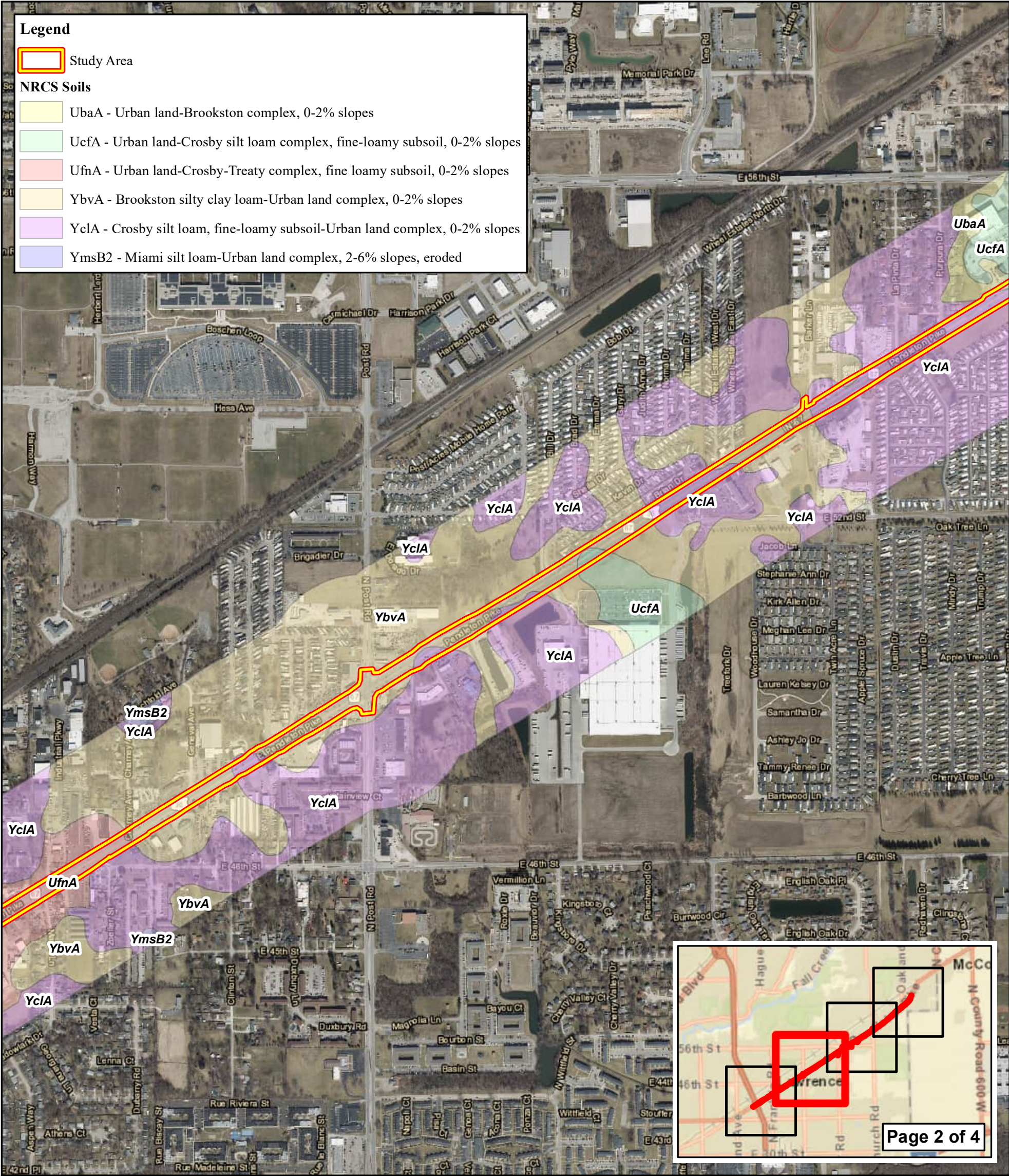
UcfA - Urban land-Crosby silt loam complex, fine-loamy subsoil, 0-2% slopes

UfnA - Urban land-Crosby-Treaty complex, fine loamy subsoil, 0-2% slopes

YbvA - Brookston silty clay loam-Urban land complex, 0-2% slopes

YcIA - Crosby silt loam, fine-loamy subsoil-Urban land complex, 0-2% slopes

YmsB2 - Miami silt loam-Urban land complex, 2-6% slopes, eroded



<div><div>N</div><div></div></div>	<div>Indiana Department of Transportation</div> <div>CIA</div>	<div>NRCS Soils Map</div> <div>US 36 (Pendleton Pike) Access Control</div> <div>Marion County, Indiana</div>	
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Study Area

NRCS Soils

Ge - Gessie silt loam

MmB2 - Miami silt loam, 2-6% slopes, eroded

MmC2 - Miami silt loam, 6-12% slopes, eroded

MxD2 - Miami complex, 12-18% slopes, eroded

UbaA - Urban land-Brookston complex, 0-2% slopes

UcfA - Urban land-Crosby silt loam complex, fine-loamy subsoil, 0-2% slopes

UcmB2 - Urban land-Crosby-Miami silt loams complex, 2-4% slopes, eroded

UkbB2 - Urban land-Miami silt loam complex, 2-6% slopes, eroded

UmjC2 - Urban land-Miami silt loam complex, 6-12% slopes, eroded

W - Water

YbvA - Brookston silty clay loam-Urban land complex, 0-2% slopes

YclA - Crosby silt loam, fine-loamy subsoil-Urban land complex, 0-2% slopes

YcmB2 - Crosby-Urban land-Miami silt loams complex, 2-4% slopes, eroded

YmsB2 - Miami silt loam-Urban land complex, 2-6% slopes, eroded

YmsC2 - Miami silt loam-Urban land complex, 6-12% slopes, eroded

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Indiana Department of Transportation

CIA

Scale 1" = 1000'

DES No.  
1900157

NRCS Soils Map

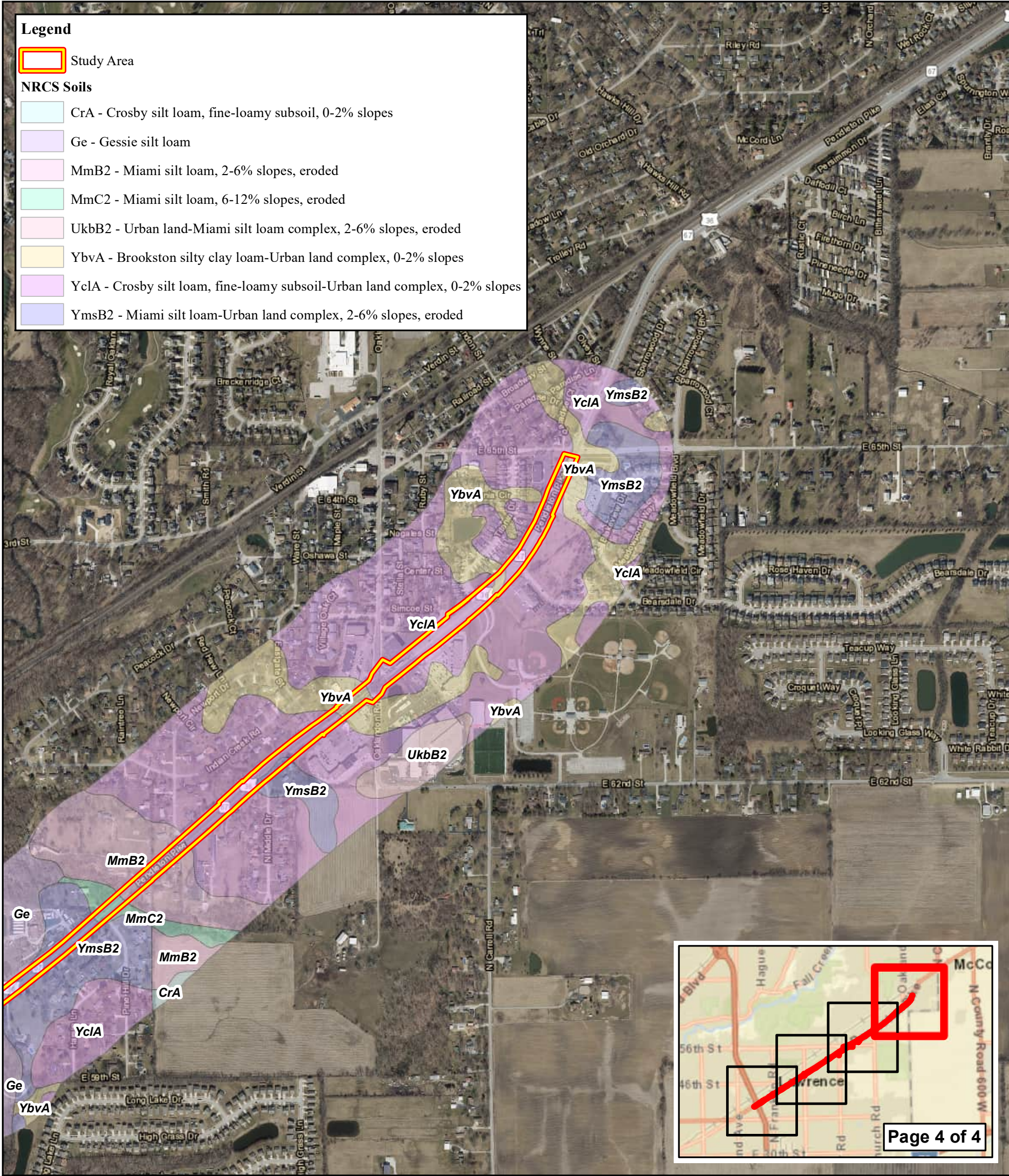
US 36 (Pendleton Pike) Access Control  
Marion County, Indiana

Image Courtesy of the Indiana Map - Photo Date: 2017  
Soil Data Courtesy of the Natural Resource Conservation Service

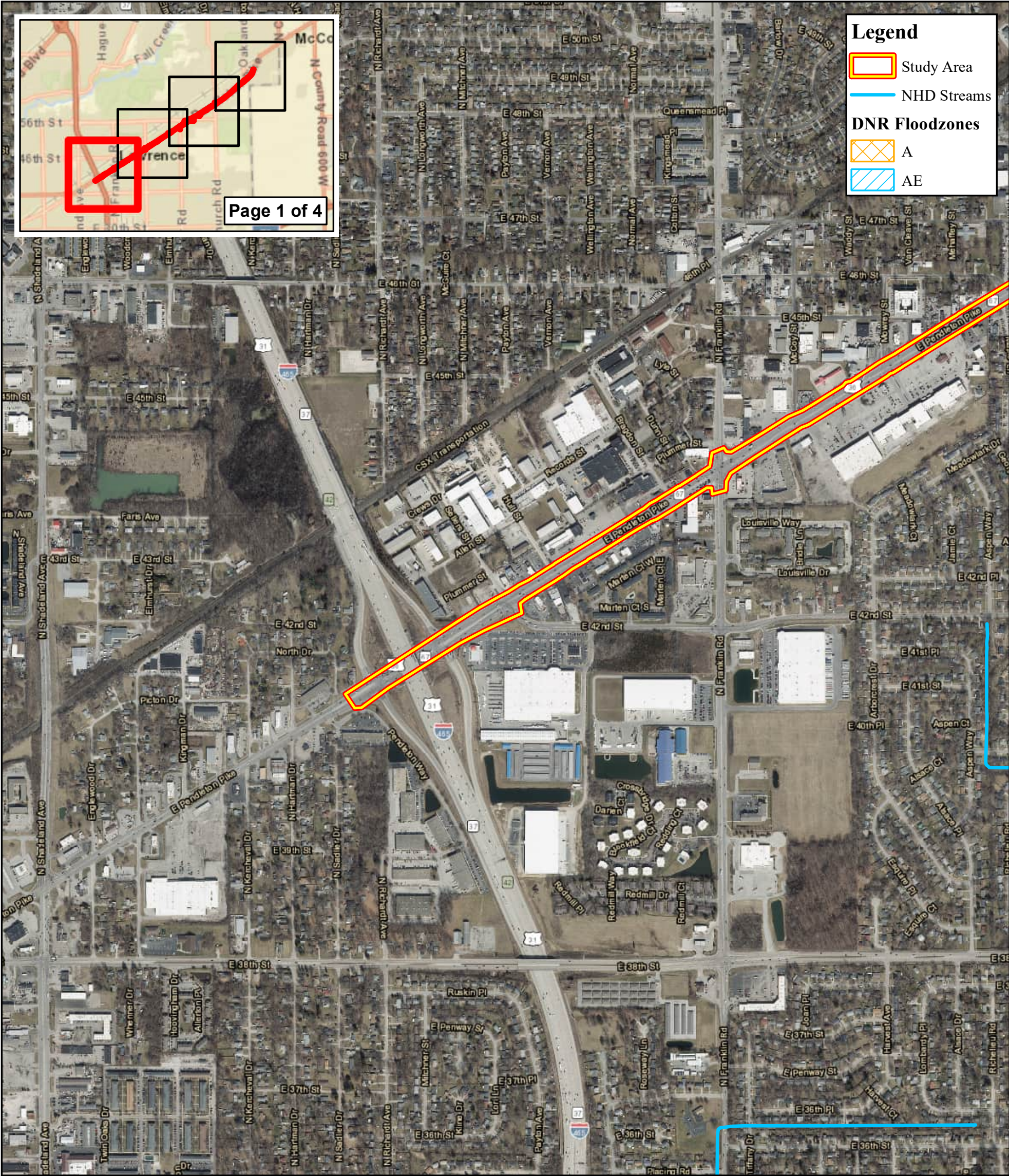
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B-16









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**Legend**

Study Area

NHD Streams

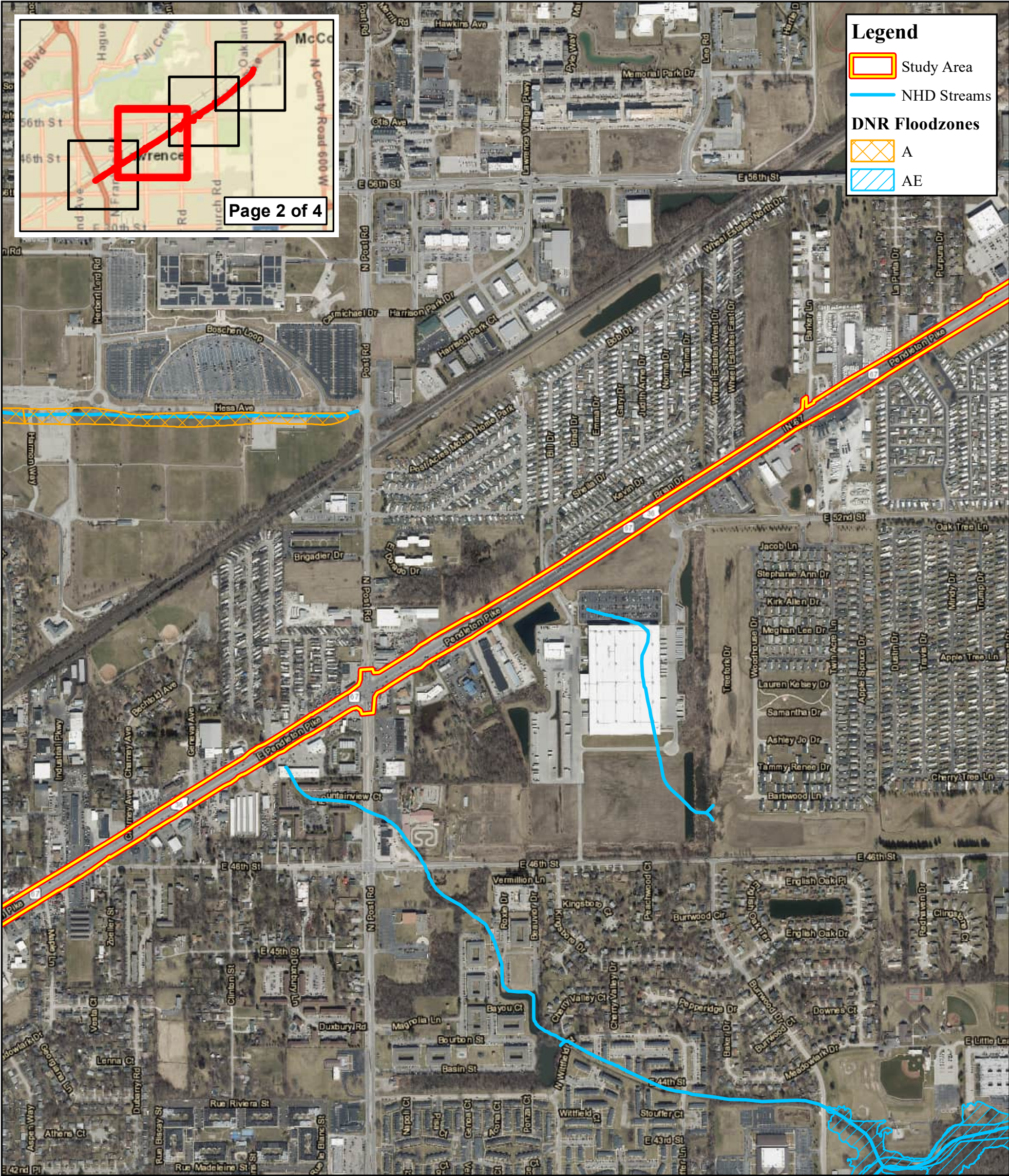
**DNR Floodzones**

A

AE

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**Legend**


Study Area

NHD Streams

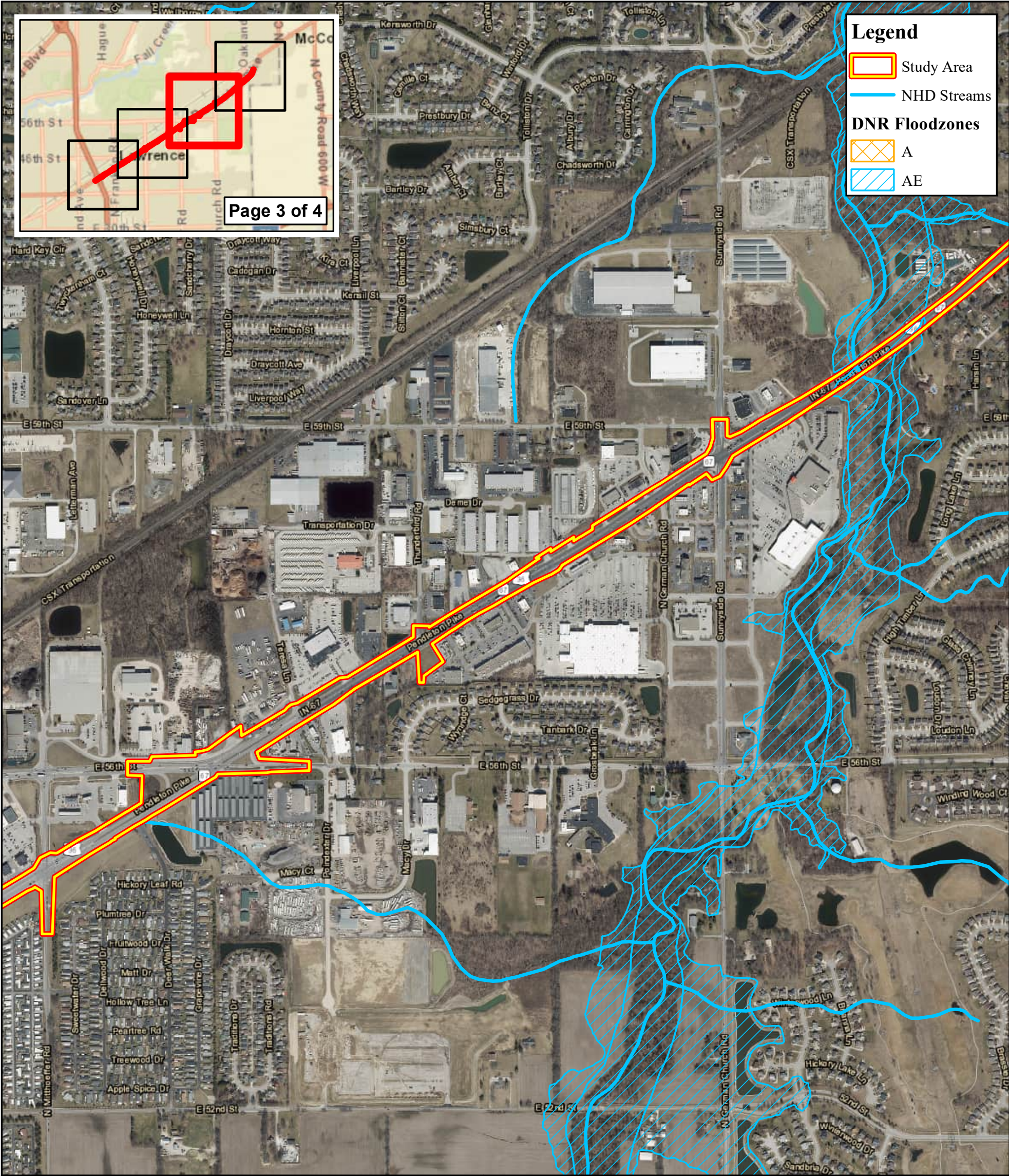
**DNR Floodzones**

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**Legend**

Study Area

NHD Streams

**DNR Floodzones**

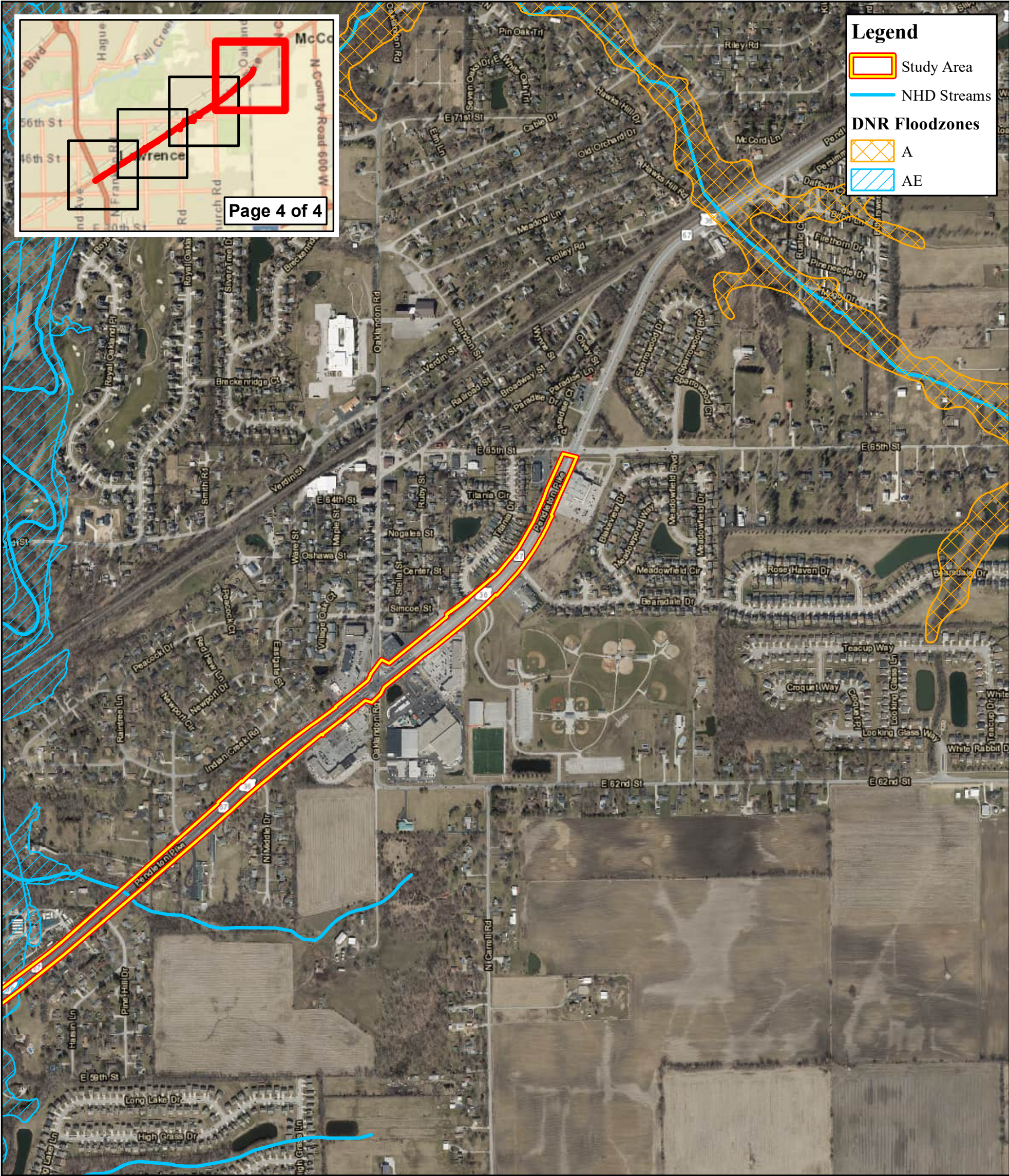
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			Image Courtesy of the IndianaMap Photo Date: 2017 Floodzones Courtesy of the Indiana Department of Natural Resources





**Legend**

Study Area

NHD Streams

**DNR Floodzones**

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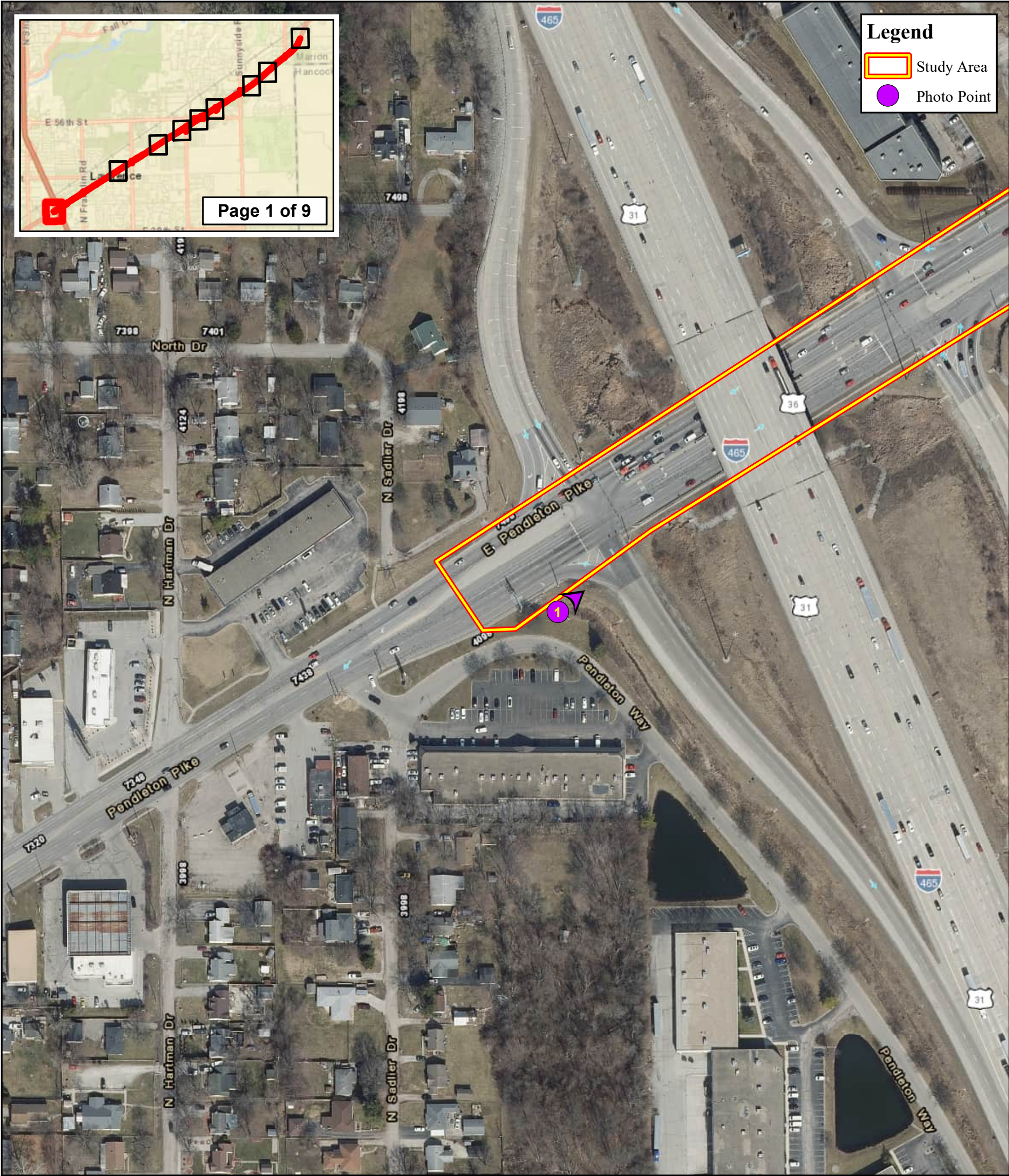
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Image Courtesy of the IndianaMap

Photo Date: 2017

Floodzones Courtesy of the Indiana Department of Natural Resources





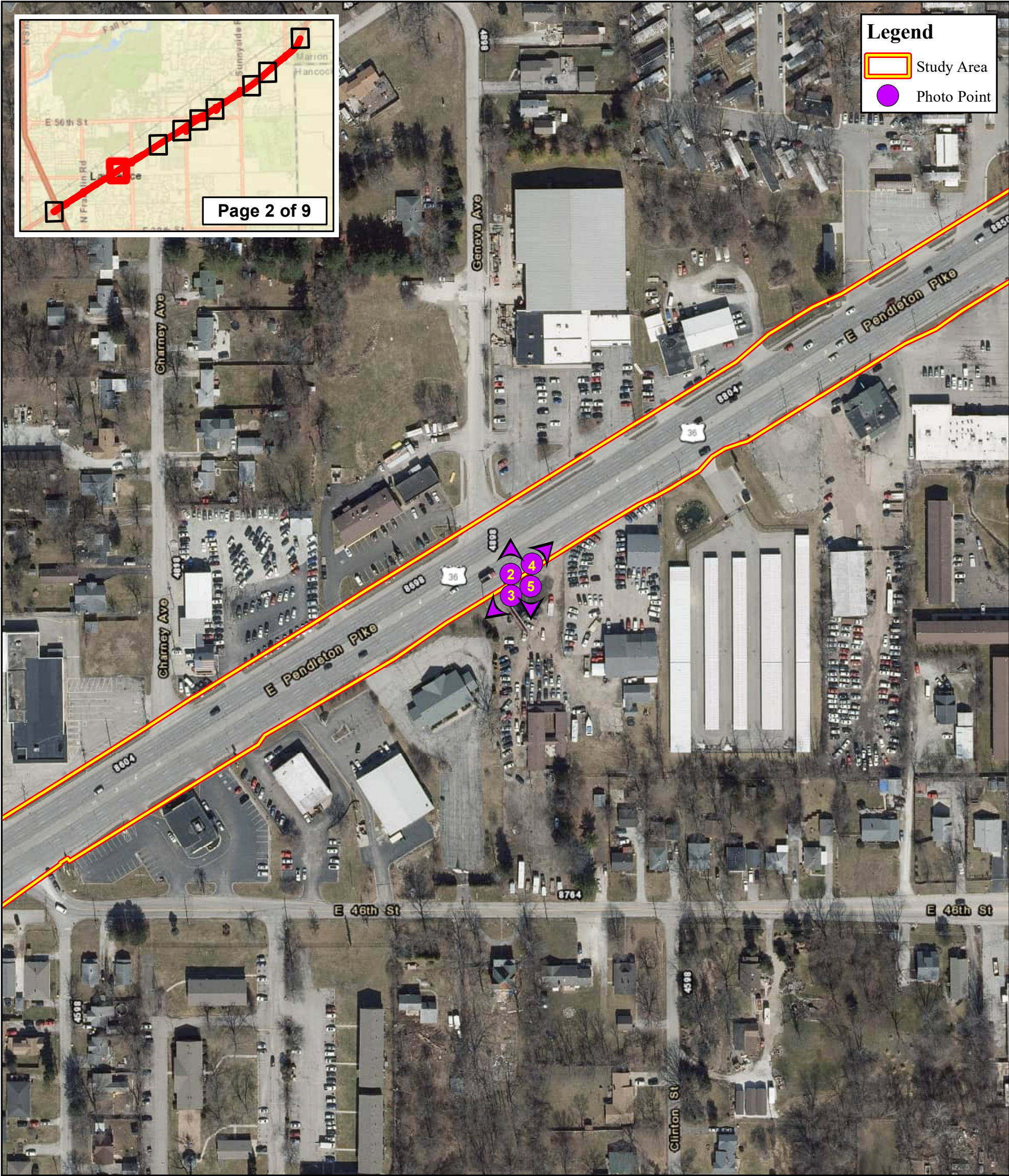
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Study Area

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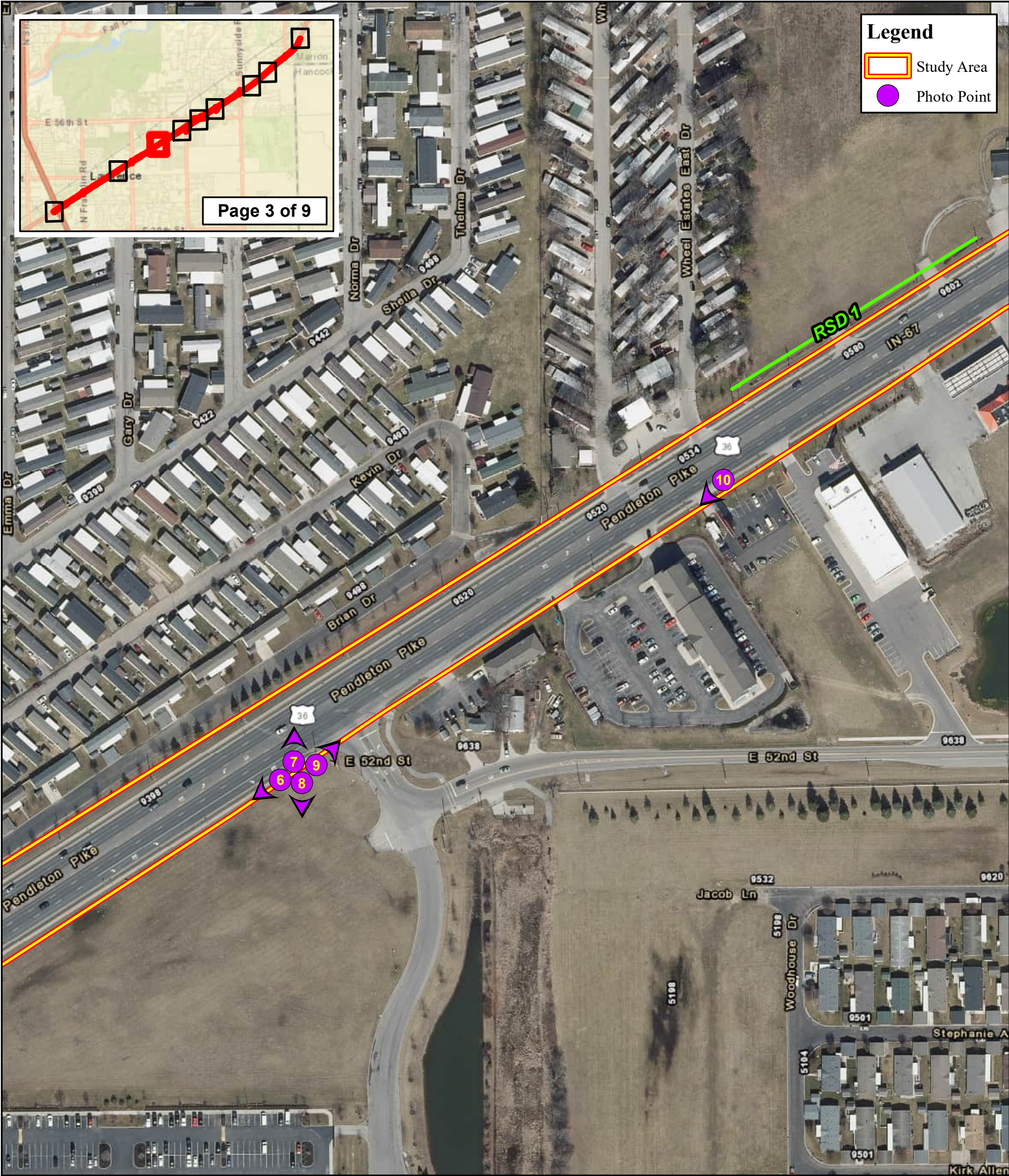
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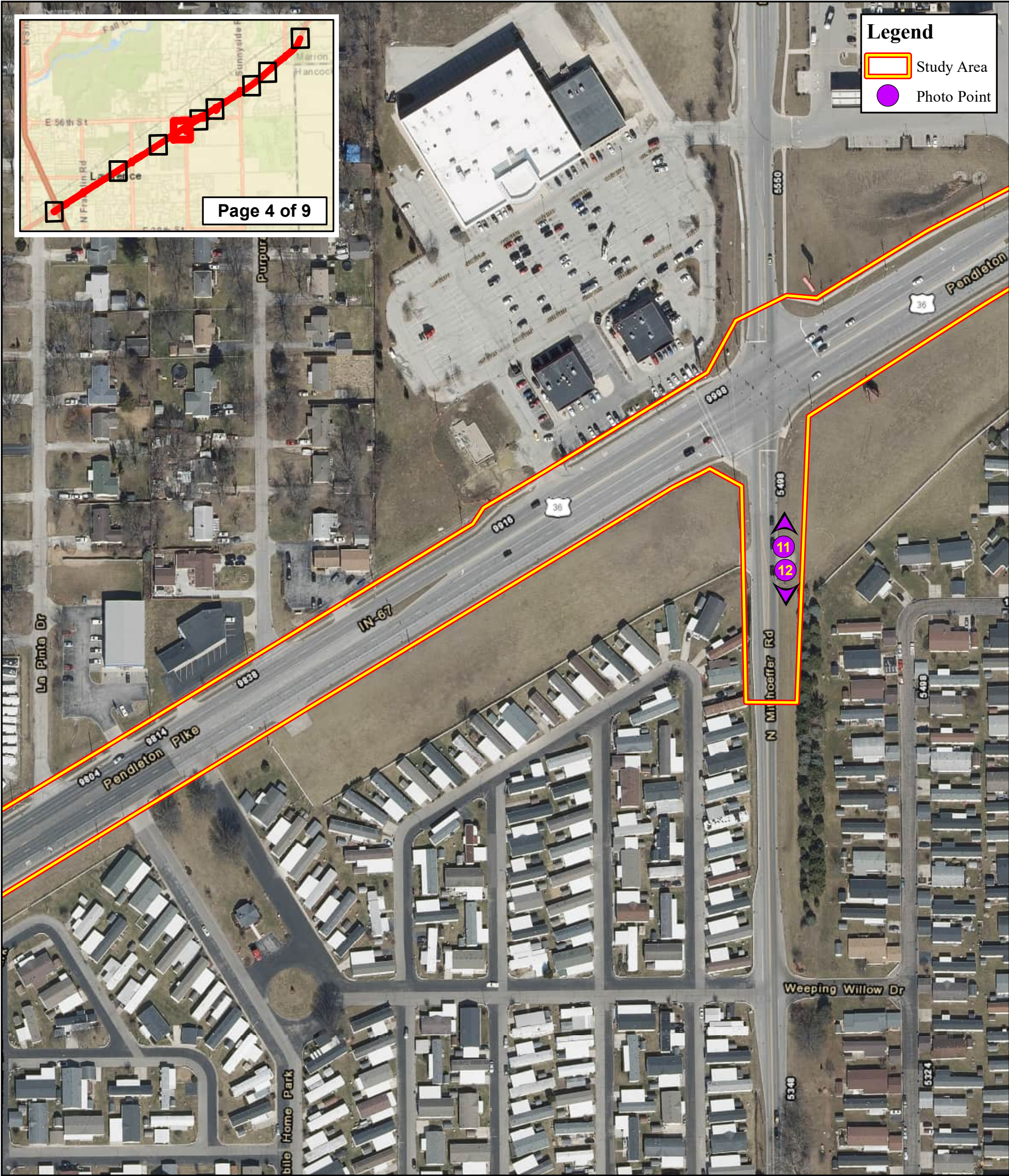






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**Legend**

-  Study Area
-  Photo Point

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Indiana Department of Transportation



Scale 1" = 200'

DES No.  
1900157

### Photo Location Map

US 36 (Pendleton Pike) Access Control  
Marion County, Indiana

Image Courtesy of the IndianaMap  
Photo Date: 2017





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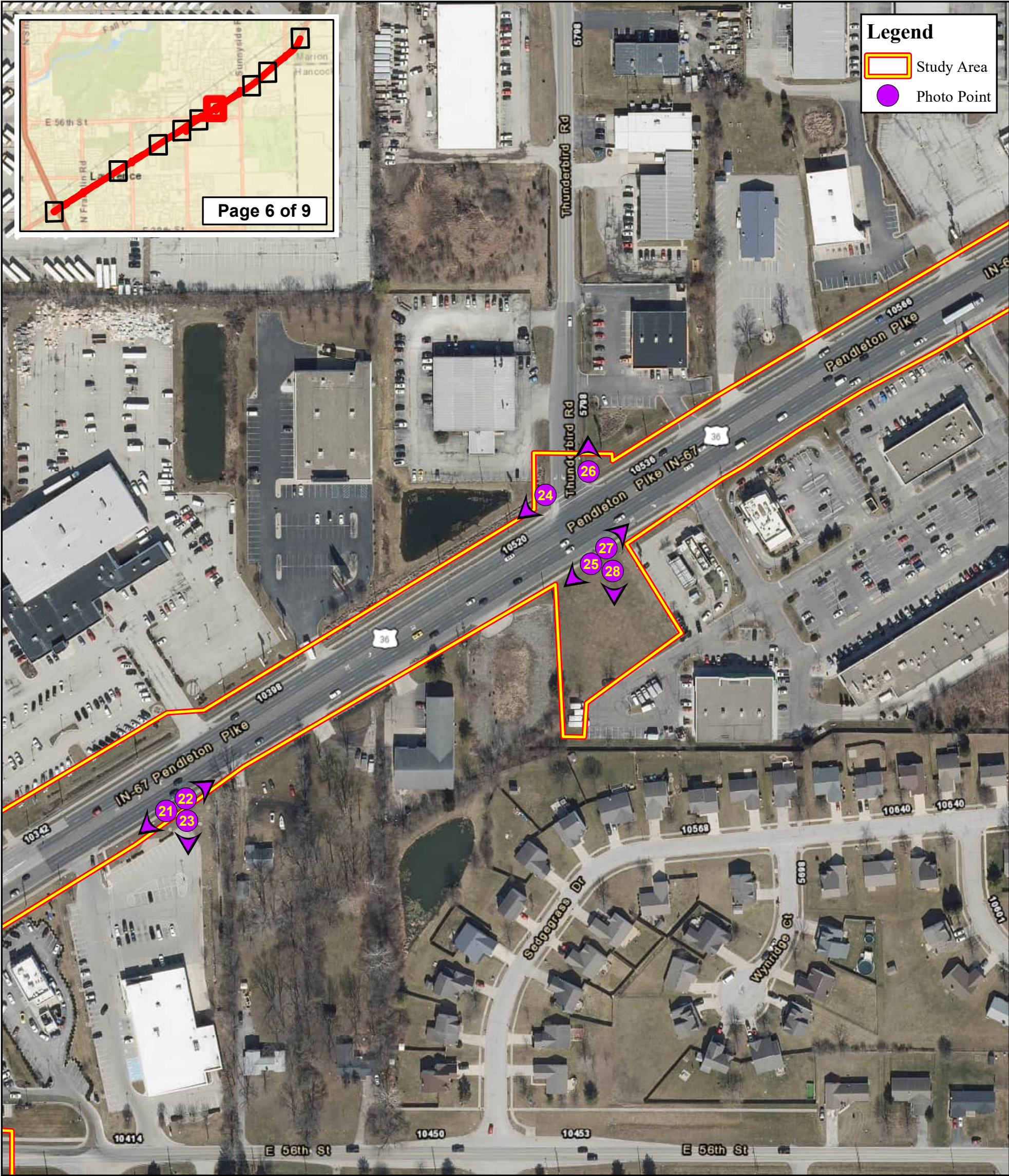
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Study Area

Photo Point


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




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**Legend**

 Study Area

 Photo Point



Indiana Department of Transportation



Scale 1" = 200'

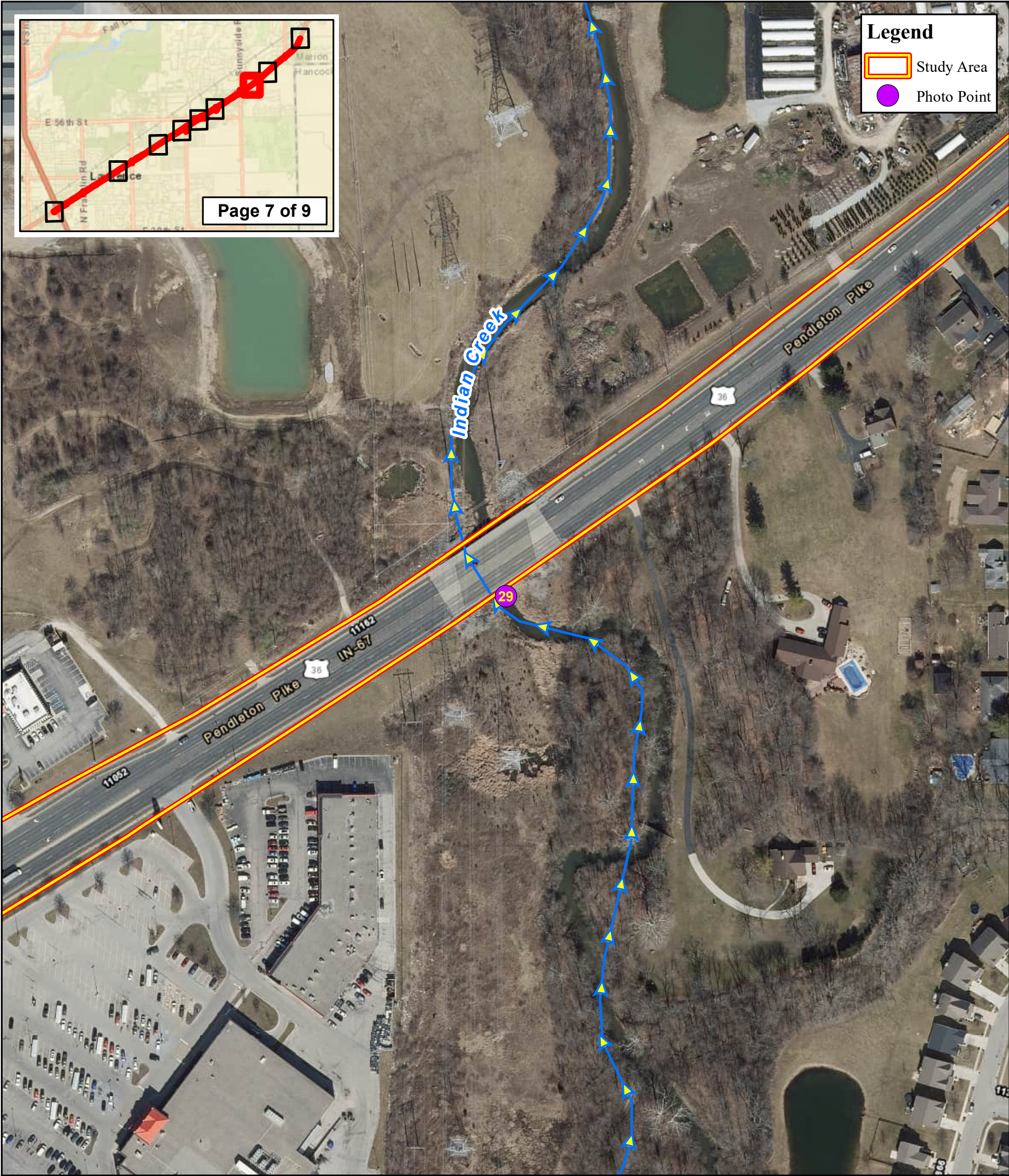
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**Photo Location Map**

US 36 (Pendleton Pike) Access Control  
Marion County, Indiana

Image Courtesy of the IndianaMap  
Photo Date: 2017





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Legend

Study Area

Photo Point



Indiana Department of Transportation



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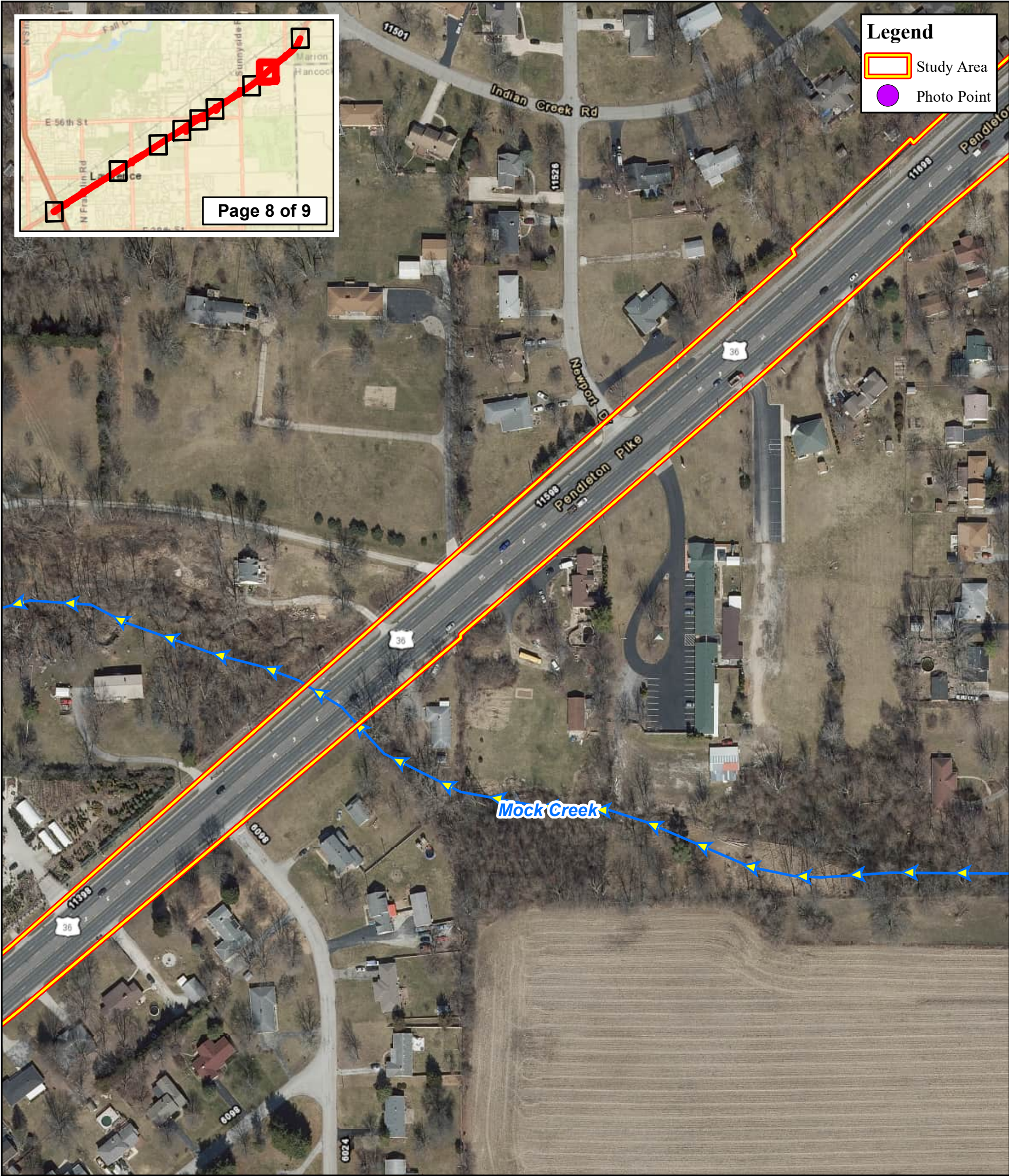
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Photo Location Map

US 36 (Pendleton Pike) Access Control  
Marion County, Indiana

Image Courtesy of the IndianaMap  
Photo Date: 2017





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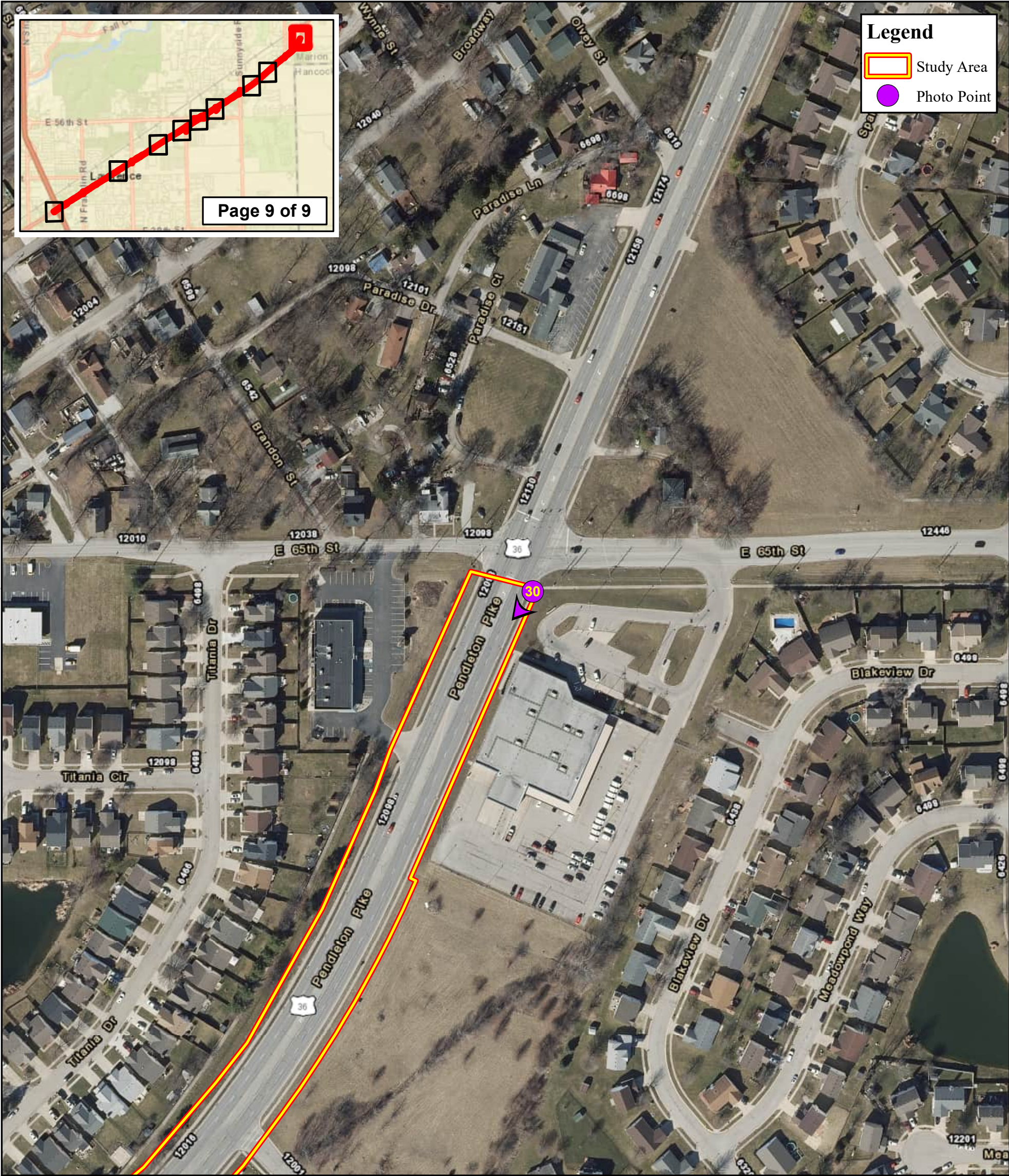
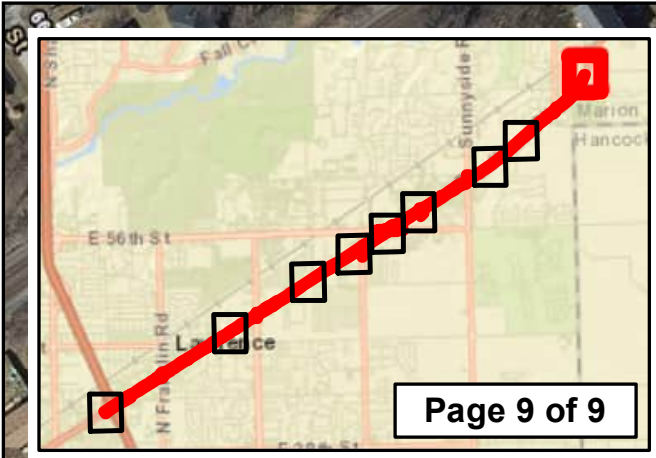
Legend

Study Area


Photo Point


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**Legend**

 Study Area

 Photo Point



Indiana Department of Transportation



Scale 1" = 200'

DES No.  
1900157

### Photo Location Map

US 36 (Pendleton Pike) Access Control  
Marion County, Indiana

Image Courtesy of the IndianaMap  
Photo Date: 2017





PP-1: looking southwest along US 36, at the US 36 and 65<sup>th</sup> Street intersection.



PP-1: looking west across US 36, at the US 36 and 65<sup>th</sup> Street intersection.



PP-2: looking northeast along US 36, at the US 36 and Oaklandon Road intersection.



PP-2: looking southwest down US 36, at the US 36 and Oaklandon Road intersection.

Photographs taken August 14, 2020





PP-3: looking east across US 36, between the US 36 and Newport Drive intersection and the US 36 and Pine Hill Drive intersection.



PP-3: looking northeast along US 36, between the US 36 and Newport Drive intersection and the US 36 and Pine Hill Drive intersection.



PP-3: looking southwest along US 36, between the US 36 and Newport Drive intersection and the US 36 and Pine Hill Drive intersection.



PP-4: looking east at Indian Creek, between the US 36 and Pine Hill Drive intersection and the US 36 and Sunnyside Road intersection.

Photographs taken August 14, 2020





PP-4: looking down at Indian Creek, between the US 36 and Pine Hill Drive intersection and the US 36 and Sunnyside Road intersection.



PP-5: looking southwest along US 36, at the US 36 and Sunnyside Road intersection.



PP-6: looking northeast along US 36, at the US 36 and Sunnyside Road intersection.



PP-6: looking southeast across US 36, at the US 36 and Sunnyside Road intersection.

Photographs taken August 14, 2020





PP-7: looking south across US 36, at the US 36 and German Church Road intersection.



PP-8: looking northeast along US 36, at the US 36 and German Church Road intersection.



PP-9: looking northeast along US 36, at the US 36 and Walmart intersection.



PP-9: looking southwest along US 36, at the US 36 and Walmart intersection.

Photographs taken August 14, 2020





PP-10: looking southeast across US 36, at the US 36 and Thunderbird Road intersection.



PP-10: looking northeast along US 36, at the US 36 and Thunderbird Road intersection.



PP-10: looking north along Thunderbird Road, at the US 36 and Thunderbird Road intersection.



PP-10: looking west at the retention pond along US 36, at the US 36 and Thunderbird Road intersection.

Photographs taken August 14, 2020





PP-10: looking south across US 36, at the US 36 and Thunderbird Road intersection.



PP-10: looking southwest along US 36, at the US 36 and Thunderbird Road intersection.



PP-11: looking northeast along US 36, at the US 36 and Teresa Lane intersection.



PP-11: looking southwest along US 36, at the US 36 and Teresa Lane intersection.

Photographs taken August 14, 2020





PP-12: looking west along East 56<sup>th</sup> Street.



PP-12: looking east across US 36, at the US 36 and East 56<sup>th</sup> Street intersection.



PP-12: looking northeast along US 36, at the US 36 and East 56<sup>th</sup> Street intersection.



PP-12: looking southwest across US 36, at the US 36 and East 56<sup>th</sup> Street intersection.

Photographs taken August 14, 2020





PP-13: looking north across US 36, at the US 36 and Wheel Estates Drive intersection.



PP-13: looking southwest along US 36, at the US 36 and Wheel Estates Drive intersection.



PP-13: looking west across US 36, at the US 36 and Wheel Estates Drive intersection.



PP-13: looking northeast along US 36, at the US 36 and Wheel Estates Drive intersection.

Photographs taken August 14, 2020





PP-14: looking southwest across US 36, at the US 36 and Post Road intersection.



PP-14: looking northeast along US 36, at the US 36 and Post Road intersection.



PP-14: looking northwest at Post Road, at the US 36 and Post Road intersection.



PP-14: looking south across US 36, at the US 36 and Post Road intersection.

Photographs taken August 14, 2020





PP-15: looking southwest across US 36, at the US 36 and Mowery Street intersection.



PP-15: looking northeast along US 36, at the US 36 and Mowery Street intersection.



PP-16: looking southwest along US 36, at the US 36 and Franklin Road intersection.



PP-16: looking northeast along US 36, at the US 36 and Franklin Road intersection.

Photographs taken August 14, 2020





PP-16: looking south across US 36, at the US 36 and Franklin Road intersection.



PP-17: looking northeast along US 36, south of the I-465 and US 36 exit.



PP-18: looking northeast at a ditch along the roadside, south of the I-465 and US 36 exit.

Photographs taken August 14, 2020



PROJECT	DESIGNATION
1900157	1900157
CONTRACT	BRIDGE FILE
T-42395	N/A

# INDIANA DEPARTMENT OF TRANSPORTATION



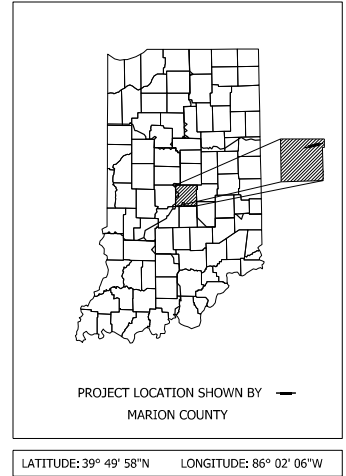
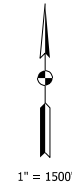
## ROAD PLANS

PROJECT NO. 1900157 P.E.  
1900157 R/W  
1900157 CONST.

ROADWAY CONSTRUCTION ALONG US 36  
FROM I-465 TO 165 FT SOUTHWEST OF OAKLANDON ROAD.  
SECTIONS 3, 4, 7, 8, 9 AND 18, T-16-N, R-5-E AND  
SECTION 13, T-16-N, R-4-E, AND  
SECTION 33 AND 34, T-17-N, R-5-E  
IN CUMBERLAND TOWNSHIP, MARION COUNTY, INDIANA

Additional Right-of-Way  
Required for this Project

Gross Length: 4.89 MI.  
Net Length: 4.89 MI.  
Maximum Grade: 2.00 %



STAGE 2  
05/03/2022

BEGIN PROJECT 1900157  
P.O.T STA. 19+49.70, LINE "S-9-AA"



END PROJECT 1900157  
P.O.T STA. 312+00.00, LINE "A"

P.O.E. 25+00.00 LINE "S-9-AA" =  
P.O.T. 59+45.56 LINE "A"

LOCATION MAP  
LAWRENCE TOWNSHIP  
MARION COUNTY

INDIANA DEPARTMENT OF TRANSPORTATION  
STANDARD SPECIFICATIONS DATED 2022  
TO BE USED WITH THESE PLANS

TRAFFIC DATA	THUNDERBOLT RD (LINE "S-2-PB")	MITTTHOEFFER (LINE "S-10-A")	PENDLETON PIKE (LINE "A")	56TH ST (LINE "PR-A 56th")
A.A.D.T. (2025)	2,650 V.P.D.	8,720 V.P.D.	51,880 V.P.D.	17,270 V.P.D.
A.A.D.T. (2045)	2,220 V.P.D.	11,150 V.P.D.	65,680 V.P.D.	23,590 V.P.D.
D.H.V. (2025)	265 V.P.H.	960 V.P.H.	5,190 V.P.H.	1,737 V.P.H.
D.H.V. (2045)	322 V.P.H.	1230 V.P.H.	6,570 V.P.H.	2,003 V.P.H.
DIRECTIONAL DISTRIBUTION	60.0% NB	54.0% SB	65.2% EB	65.0% EB
TRUCKS	5.0% A.A.D.T.	4.0% A.A.D.T.	4.0% A.A.D.T.	2.0% A.A.D.T.
	5.0% D.H.V.	4.0% D.H.V.	4.0% D.H.V.	2.0% D.H.V.
DESIGN DATA				
DESIGN SPEED	25 M.P.H.	35 M.P.H.	40/45 M.P.H.	40/45 M.P.H.
PROJECT DESIGN CRITERIA	3R (NON-FREEWAY)	3R (NON-FREEWAY)	3R (NON-FREEWAY)	3R (NON-FREEWAY)
FUNCTIONAL CLASSIFICATION	LOCAL STREET (BUILD-UP)	MINOR ARTERIAL	MINOR ARTERIAL	MINOR ARTERIAL
RURAL/URBAN	URBAN	URBAN	URBAN	URBAN
TERRAIN	LEVEL	LEVEL	LEVEL	LEVEL
ACCESS CONTROL	NONE	NONE	NONE	NONE

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TIME PLOTTED: 12:40:30 PM



PLANS PREPARED BY: CHA Consulting, Inc.	317.786.0461 PHONE NUMBER
CERTIFIED BY:	DATE
APPROVED FOR LETTING:	DATE

	BRIDGE FILE
	N/A
	DESIGNATION
	1900157
SURVEY BOOK	SHEETS
N/A	1 of 136
CONTRACT	PROJECT
T-42395	1900157



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TIME PLOTTED: 12:40:32 PM

## UTILITIES

### Telecommunications

AT&T Distribution  
240 N. Meridian St.  
Indianapolis, IN 46204  
Attn: Brad Bailey  
Phone: 317-610-5422  
Email: bb3525@att.com

Comcast Cable Indianapolis  
Attn: William Morris  
Email: william\_morris@comcast.com

Crown Castle  
800 Oliver Avenue, Suite 1  
Indianapolis, IN 46225  
Attn: Craig Brown  
Phone: 317-819-8648  
Email: Craig.Brown@crowncastle.com

Intelligent Fiber Network  
5520 W. 76<sup>th</sup> St.  
Indianapolis, IN 46268  
Attn: Shawn Wright  
Phone: 317-777-7119  
Email: swright@intelligentfiber.com

MC  
Attn: Efrain Rodriguez  
Email: investigations@verizon.com

Spectrum  
3030 Roosevelt Ave.  
Indianapolis, IN 46218  
Phone: 317-734-0755  
Attn: Ron Hinrichs  
Email: ronald.hinrichs@charter.com

TCS Communications LLC  
4355 Lafayette Blvd  
Indianapolis, IN 46254  
Attn: Chris Fowler  
Phone: 317-435-6225  
Email: chris.fowler@tcscomm.com

Zayo Bandwidth  
9209 Castlegate Dr.  
Indianapolis, IN 46256  
Attn: Waylon Higgins  
Phone: 317-341-1199  
Email: waylon.higgins@zayo.com

CenturyLink National  
Attn: Utility Coordinator  
Email: centurylinknationalprolocations@centurylink.com

### Gas/Pipelines

Citizens Energy Gas  
2150 Dr. Martin Luther King Jr St  
Indianapolis, IN 46200  
Attn: Rich Miller  
Email: rmiller@citizensenergygroup.com

### Sanitary Sewer

Citizens Energy Sanitary  
Attn: David Clark  
Email: dclark@citizensenergygroup.com

Citizens Energy Sanitary  
Attn: Scott Ritter  
Email: sritter@citizensenergygroup.com

Lawrence Sanitary  
9001 E 59th Street  
Lawrence, IN 46216  
Attn: Sri Venugopalan  
Phone: 317-542-4480  
Email: svenugopalan@cityoflawrence.org

### Electric

Indianapolis Power & Light Company  
1230 W. Morris St.  
Indianapolis, IN 46221  
Attn: Steve Bullock  
Phone: 317-361-6527  
Email: steve.bullock@aes.com

## GENERAL NOTES

All earth shoulders, median areas, and cut and fill slopes shall be plain or mulch seeded except where sodding is specified.

This set of plans shall not be construed to be a property replacement survey. Where apparent property lines, owners, or section corner information is shown it is based upon physical evidences or testimony.

The topography information for this project was supplied by USL. Attempts have been made to periodically update portions of this project. However, the design consultant does not warrant the accuracy of this data and advises the contractor to field verify all information.

The Vertical Datum used for the Project is N.A.V.D. of 1988. For additional information on the Vertical and Horizontal Datums, refer to the survey field books on file with the INDOT Records Section and provided to the contractor through the Contract Services.

The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantees that the underground utilities comprise all such utilities in the area, either active or inactive. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although the surveyor does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.

## REVISIONS

SHEET NO.	DATE	REVISION

## INDEX

SHEET NO.	DESCRIPTION
1	TITLE
2	INDEX AND GENERAL NOTES
3	PLAT NO.1
4	GEOMETRIC TIE-UP
5 - 11	LOCATION CONTROL ROUTE SURVEY
12 - 18	MAINTENANCE OF TRAFFIC
19 - 30	TYPICAL CROSS SECTIONS
31	MISCELLANEOUS DETAILS
32 - 56	CONSTRUCTION DETAILS
57 - 59	PLAN AND PROFILES
60 - 72	SPOT ELEVATION DETAILS
73 - 79	CURB RAMP AND SIDEWALK DETAILS
80 - 85	TEMPORARY EROSION CONTROL
86 - 95	SIGNAL MODERNIZATION/TRAFFIC SIGNAL INSTALLATION
96 - 106	SIGN DETAILS
107 - 111	SIGN TABLES
112 - 122	PAVEMENT MARKINGS
123 - 124	PROPOSED SIGN LAYOUT AND DETAILS
125	APPROACH TABLE
126 - 128	STRUCTURE DATA TABLE
129	PAVEMENT MARKINGS TABLE
130	CROSS SECTIONS - THUNDERBIRD RD
131 - 132	CROSS SECTIONS - MITTTHOEFFER RD
133 - 135	CROSS SECTIONS - PENDLETON PIKE RD (Turn Lane)
136	DRIVE PROFILES



### NOTES:

This set of plans shall not be construed to be a property replacement survey. Where apparent property lines, owners, or section corner information is shown it is based upon physical evidence or testimony.

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DESIGNED: JSS _____	DRAWN: DLM _____	
CHECKED: BJA _____	CHECKED: BJA _____	

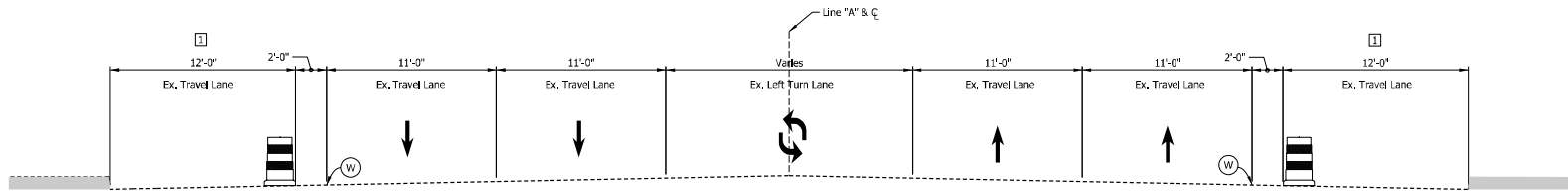
INDIANA  
DEPARTMENT OF TRANSPORTATION

INDEX

HORIZONTAL SCALE	BRIDGE FILE
N/A	N/A
VERTICAL SCALE	DESIGNATION
N/A	1900157
SURVEY BOOK	SHEETS
N/A	2 of 136
CONTRACT	PROJECT
T-42395	1900157

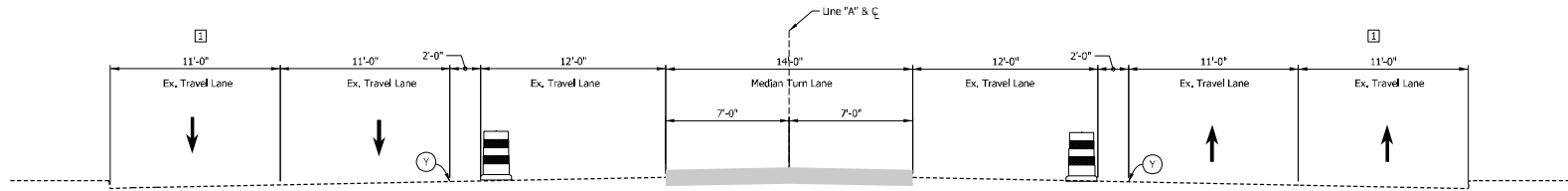


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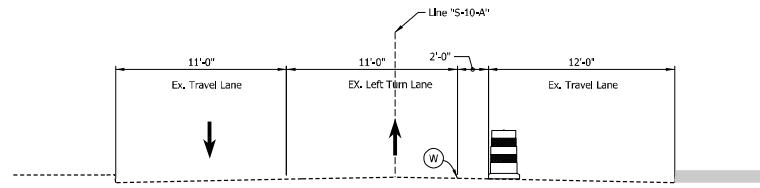
TYPICAL CROSS SECTION - PENDLETON PIKE. - PHASE 1

Varies from 12'-0" to 0'-0" after Post Road heading Northeast



TYPICAL CROSS SECTION - PENDLETON PIKE. - PHASE 2

Varies from 12'-0" to 0'-0" after Post Road heading Northeast



TYPICAL CROSS SECTION - MITTHOEFFER.

LEGEND

- Construction Area
- Standard Barrier
- Typical Sign Standard

- Barricade
- Traffic Flow

- Temporary Pavement Marking, Removable, White, 4"
- Temporary Pavement Marking, Removable, Yellow, 4"
- Existing Pavement

- Temporary Transverse Pavement Marking, Removable, 24"
- HMA for Temporary Pavement Type C
- 220 Blays Surface, Type C, on
- 220 Blays Intermediate, Type C on
- 350 Blays Base, Type C on
- Compacted Aggregate No. 53 on
- Subgrade Treatment Type II

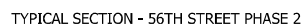
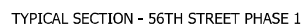
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DESIGNED: JSS	DRAWN: JLM	
CHECKED: BJA	CHECKED: BJA	

INDIANA  
DEPARTMENT OF TRANSPORTATION

MAINTENANCE OF TRAFFIC  
TYPICAL CROSS SECTION - LINE "A"

HORIZONTAL SCALE	BRIDGE FILE
1/4" = 1'-0"	N/A
VERTICAL SCALE	DESIGNATION
N/A	1900157
SURVEY BOOK	SHEETS
N/A	12 of 136
CONTRACT	PROJECT
T-42295	1900157



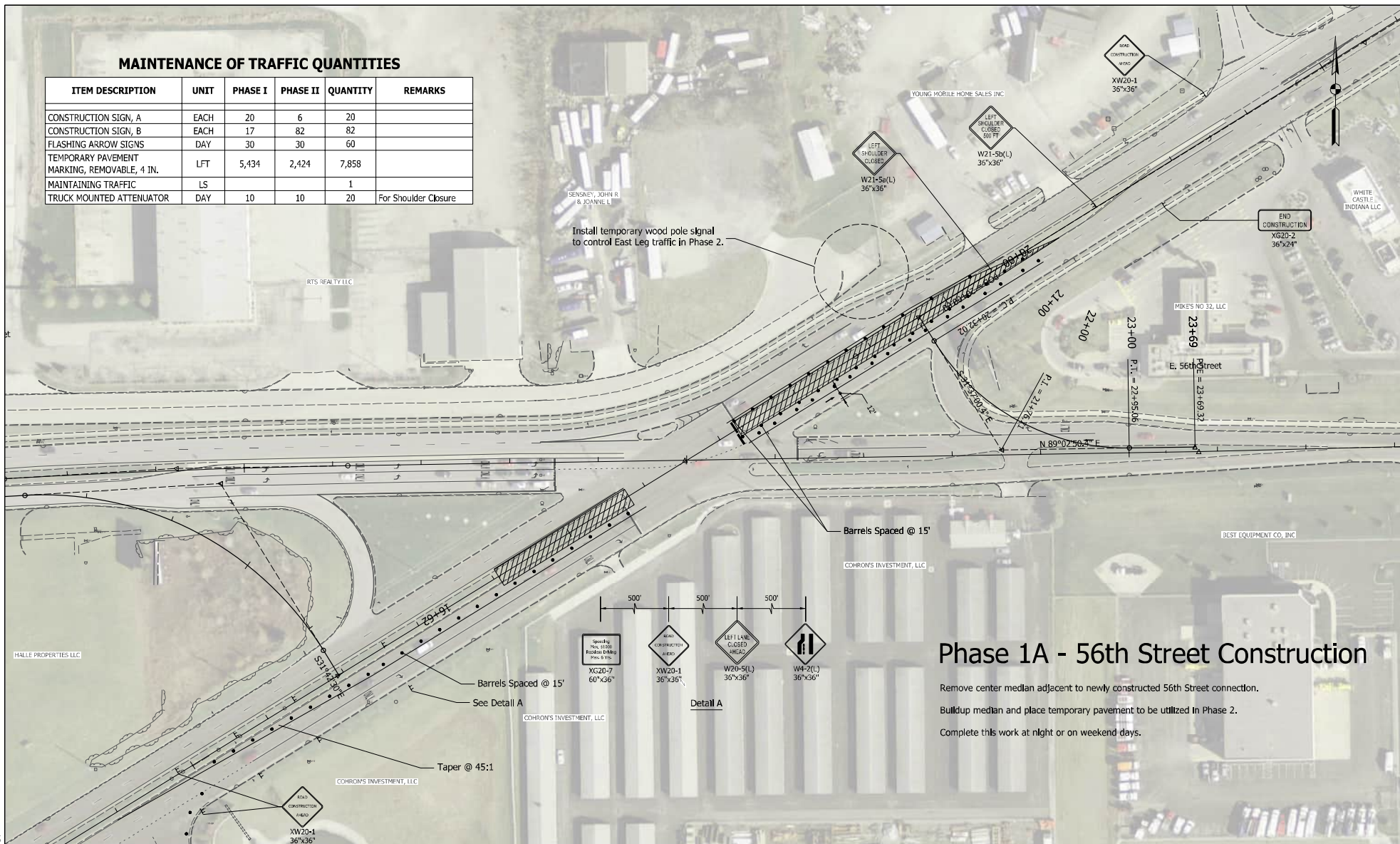


Barrels shall be spaced 15' apart.

B-45











ITEM DESCRIPTION	UNIT	PHASE I	PHASE II	QUANTITY	REMARKS
CONSTRUCTION SIGN, A	EACH	20	6	20	
CONSTRUCTION SIGN, B	EACH	17	82	82	
FLASHING ARROW SIGNS	DAY	30	30	60	
TEMPORARY PAVEMENT MARKING, REMOVABLE, 4 IN.	LFT	5,434	2,424	7,858	
MAINTAINING TRAFFIC	LS			1	
TRUCK MOUNTED ATTENUATOR	DAY	10	10	20	For Shoulder Closure



Remove center median adjacent to newly constructed 56th Street connection.

Buildup median and place temporary pavement to be utilized in Phase 2.

Complete this work at night or on weekend days.

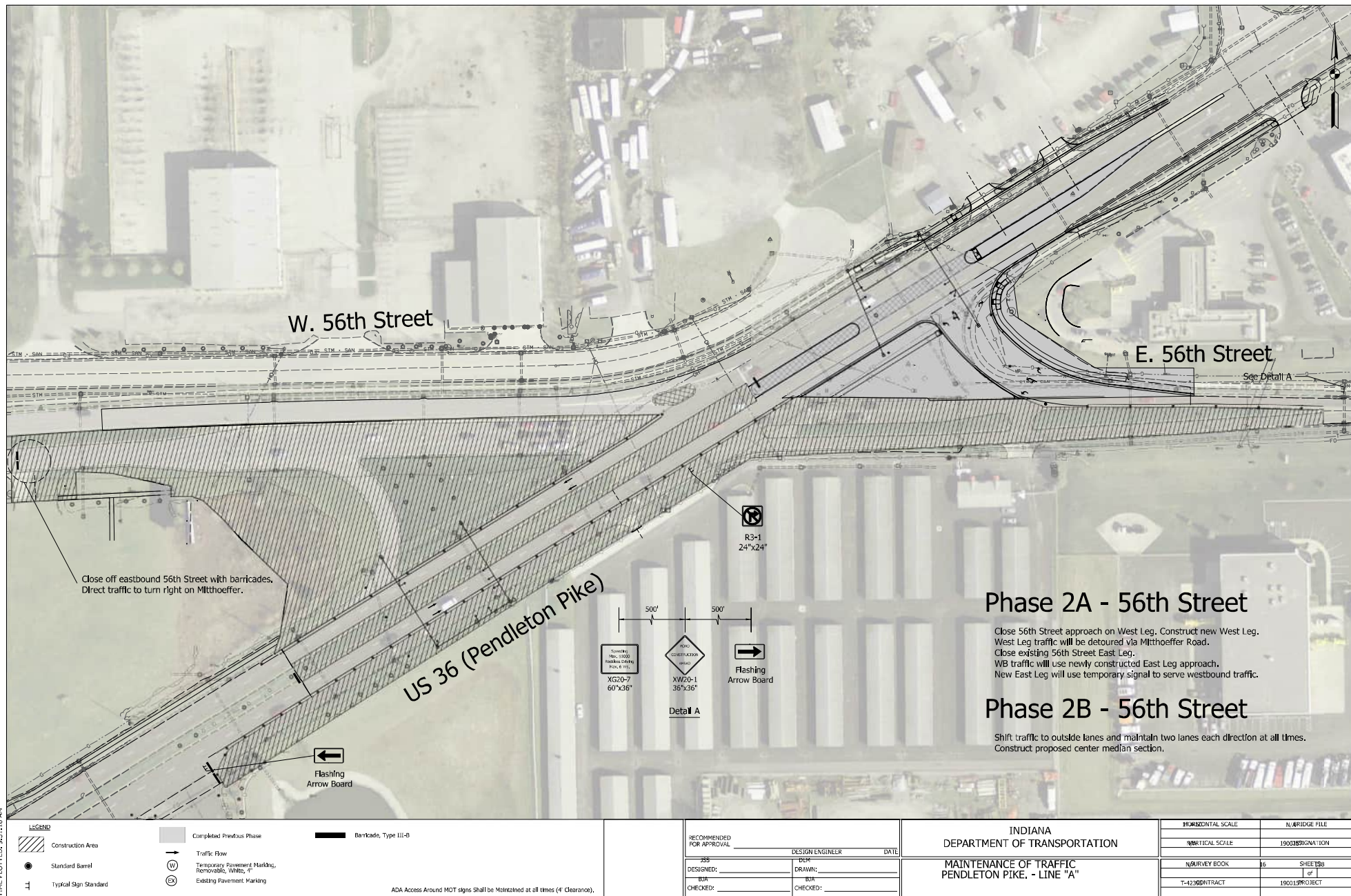
<b>LEGEND</b>  Construction Area  Standard Barral  Typical Sign Standard		 Completed Previous Phase  Traffic Flow  Temporary Pavement Marking, Removable, White, 4"  Existing Pavement Marking		 Barricade, Type III-B  ADA Access Around MOT signs shall be Maintained at all times ("Clearance").		RECOMMENDED FOR APPROVAL _____ _____ DESIGN ENGINEER _____ DATE _____		INDIANA DEPARTMENT OF TRANSPORTATION		HORIZONTAL SCALE 1" = 50' VERTICAL SCALE N/A DESIGNATION 1900157		BRIDGE FILE N/A 1900157	
						DESIGNED: JSS DRAWN: DLM CHECKED: BJA CHECKED: BJA		MAINTENANCE OF TRAFFIC PENDLETON PIKE. - LINE "A"		SURVEY BOOK N/A CONTRACT T-42395		SHEETS 14 of 138 PROJECT 1900157	





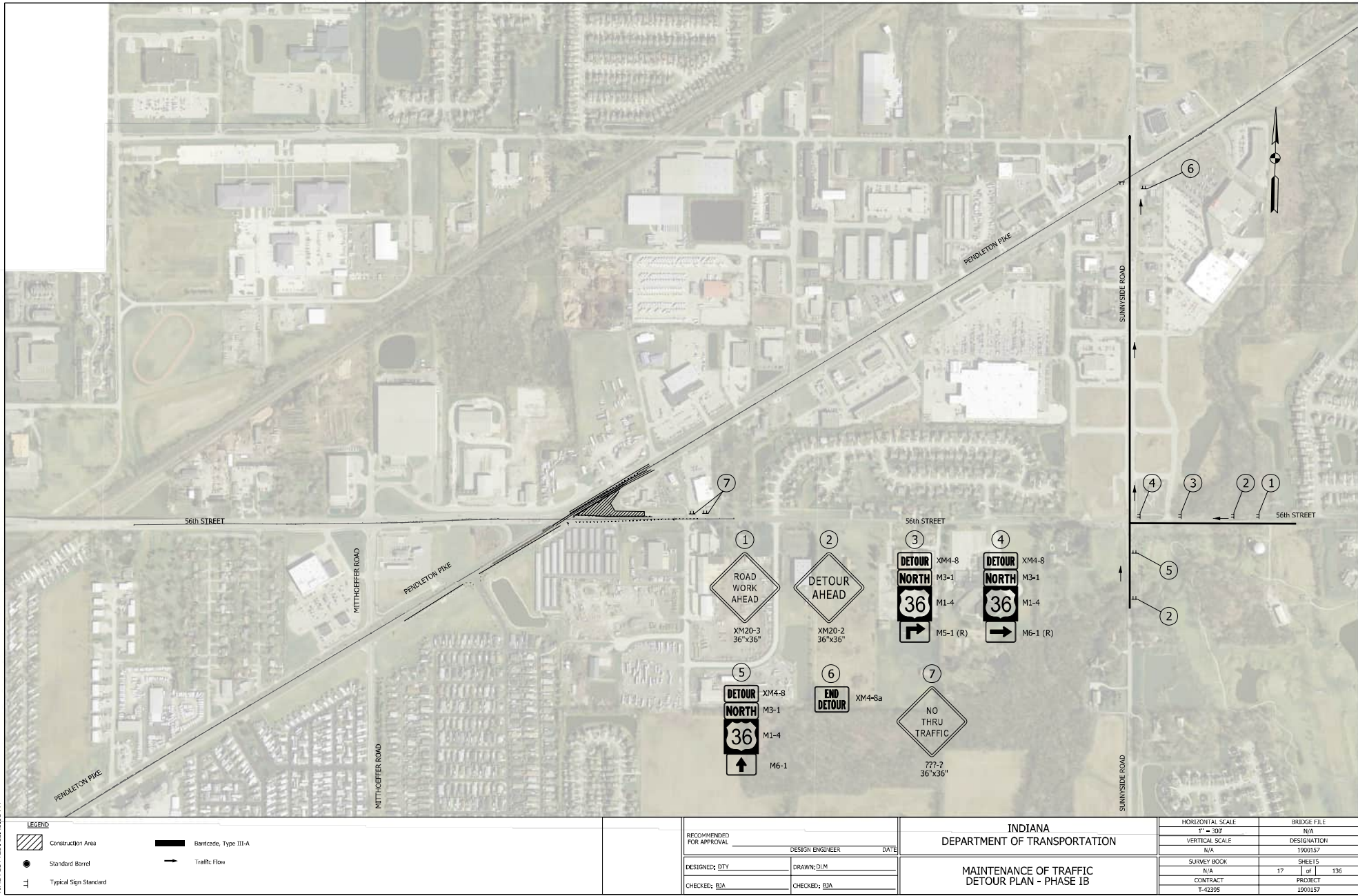


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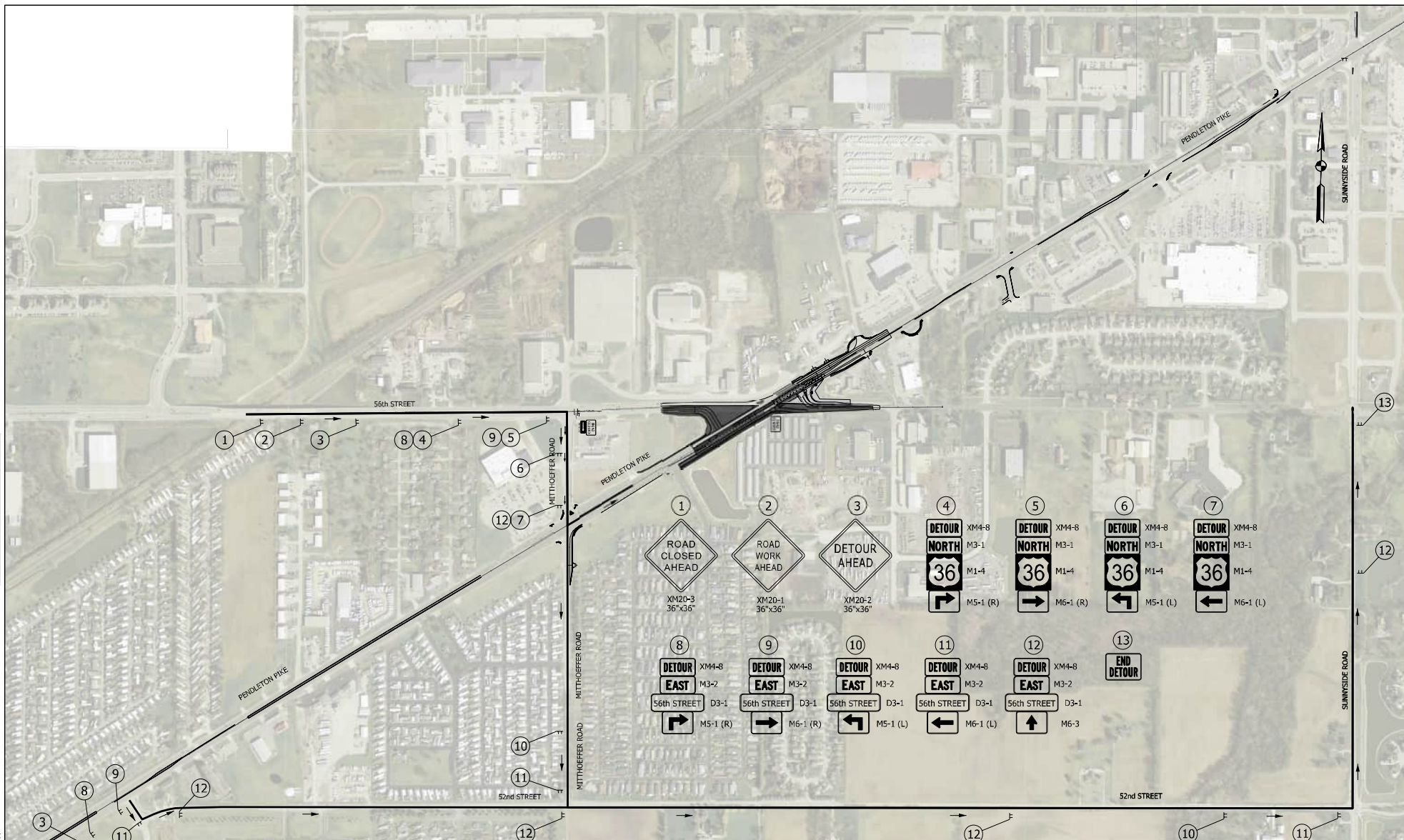







RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: DJT	DRAWN: DJM	
CHECKED: BJA	CHECKED: BJA	

INDIANA DEPARTMENT OF TRANSPORTATION
MAINTENANCE OF TRAFFIC DETOUR PLAN - PHASE 1B

HORIZONTAL SCALE 1" = 300'	BRIDGE FILE N/A
VERTICAL SCALE N/A	DESIGNATION 1900157
SURVEY BOOK N/A	SHEETS 17 of 136
CONTRACT T-42295	PROJECT 1900157





<b>LEGEND</b>  Construction Area  Barricade, Type III-A  Standard Barrel  Traffic Flow  Typical Sign Standard		RECOMMENDED FOR APPROVAL _____ DATE _____ DESIGN ENGINEER _____		INDIANA DEPARTMENT OF TRANSPORTATION		HORIZONTAL SCALE _____ BRIDGE FILE _____ T = 300' N/A VERTICAL SCALE _____ DESIGNATION _____ N/A 1900157	
		DESIGNED: DJT _____ DRAWN: DIM _____ CHECKED: BJA _____ CHECKED: BJA _____		MAINTENANCE OF TRAFFIC DETOUR PLAN - PHASE 2		SURVEY BOOK _____ SHEETS _____ N/A 18 of 136 CONTRACT _____ PROJECT _____ T-42395 1900157	



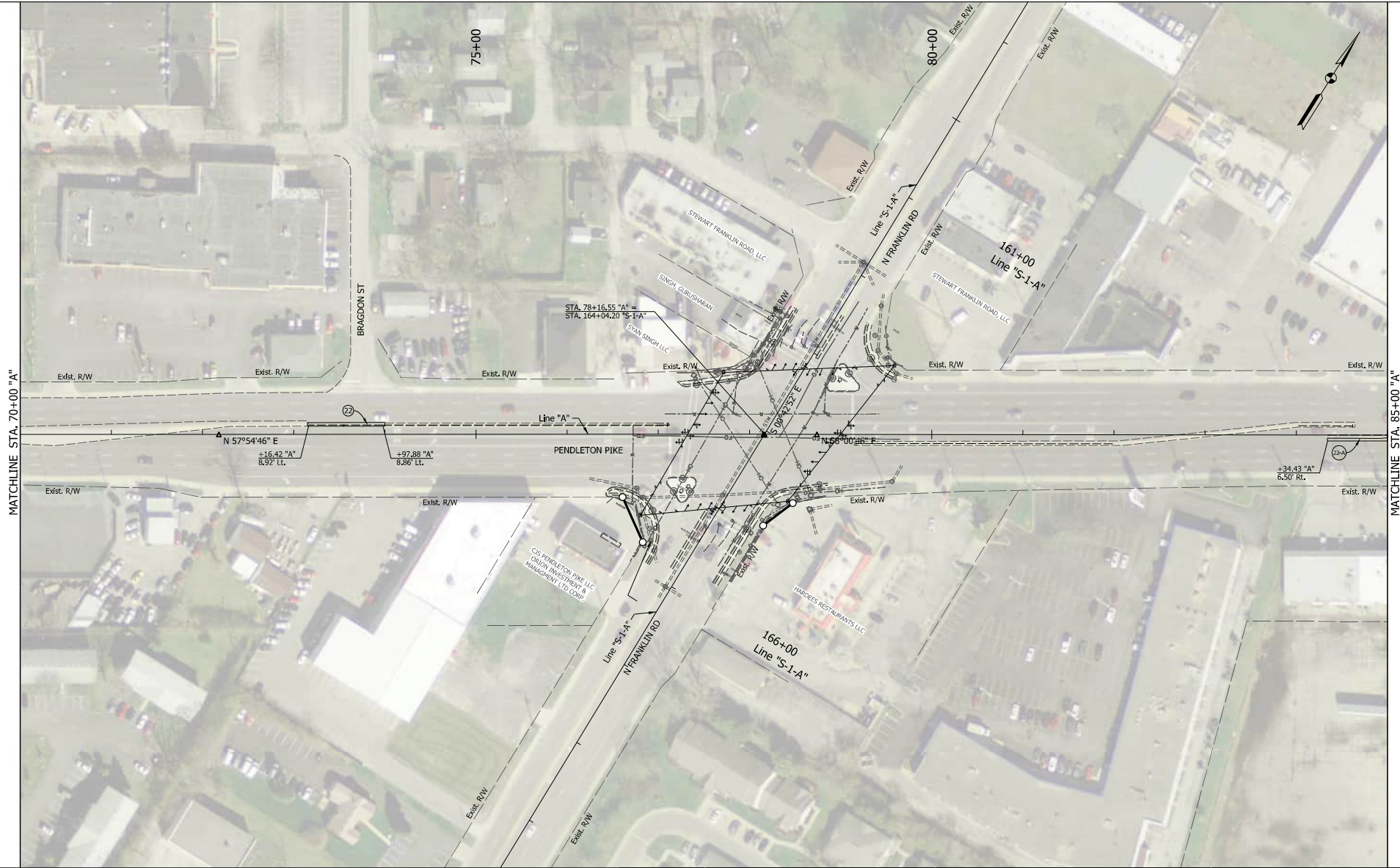








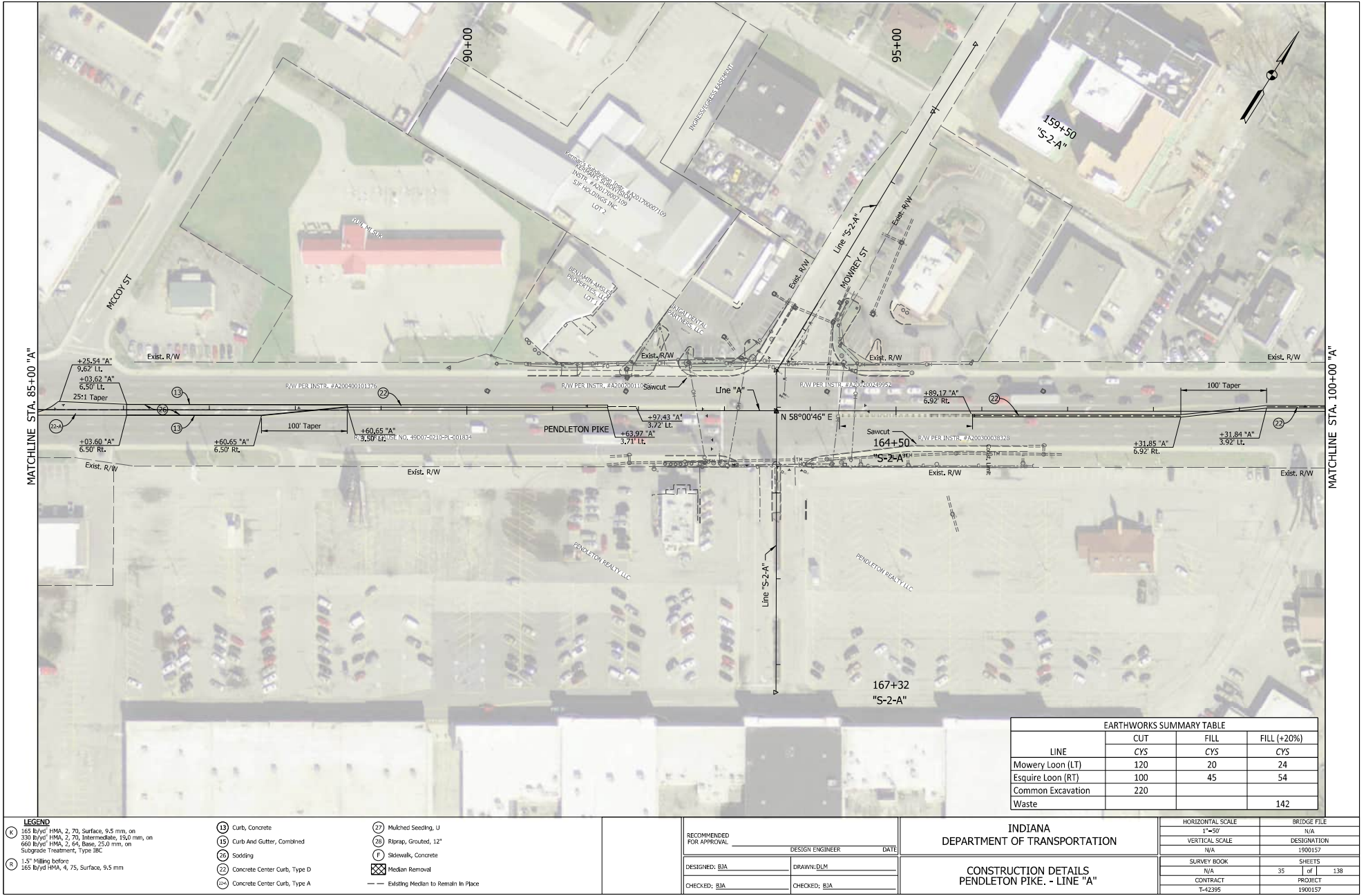
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LEGEND			RECOMMENDED FOR APPROVAL		INDIANA DEPARTMENT OF TRANSPORTATION		HORIZONTAL SCALE		BRIDGE FILE	
(K)	165 lb/yd <sup>3</sup> HMA, 2, 70, Surface, 9.5 mm, on 330 lb/yd <sup>3</sup> HMA, 2, 70, Intermediate, 15.0 mm, on 660 lb/yd <sup>3</sup> HMA, 2, 64, Base, 25.0 mm, on Subgrade Treatment, Type IBC	(13) Curb, Concrete	DESIGNED: BJA		DRAWN: DLM		1"=50'		N/A	
(R)	1.5" milling before 265 lb/yd <sup>3</sup> HMA, 4, 75, Surface, 9.5 mm	(15) Curb And Gutter, Combined	CHECKED: BJA		CHECKED: BJA		N/A		DESIGNATION 1900157	
		(20) Sodding							SURVEY BOOK	
		(22) Concrete Center Curb, Type D							N/A	
		(24) Concrete Center Curb, Type A							34	
		(27) Mulched Seeding, U							SHEETS	
		(28) Bitrap, Grouted, 12"							138	
		(F) Sidewalk, Concrete							PROJECT	
		(M) Median Removal							1900157	
		--- Existing Median to Remain in Place							CONTRACT	
									T-42395	

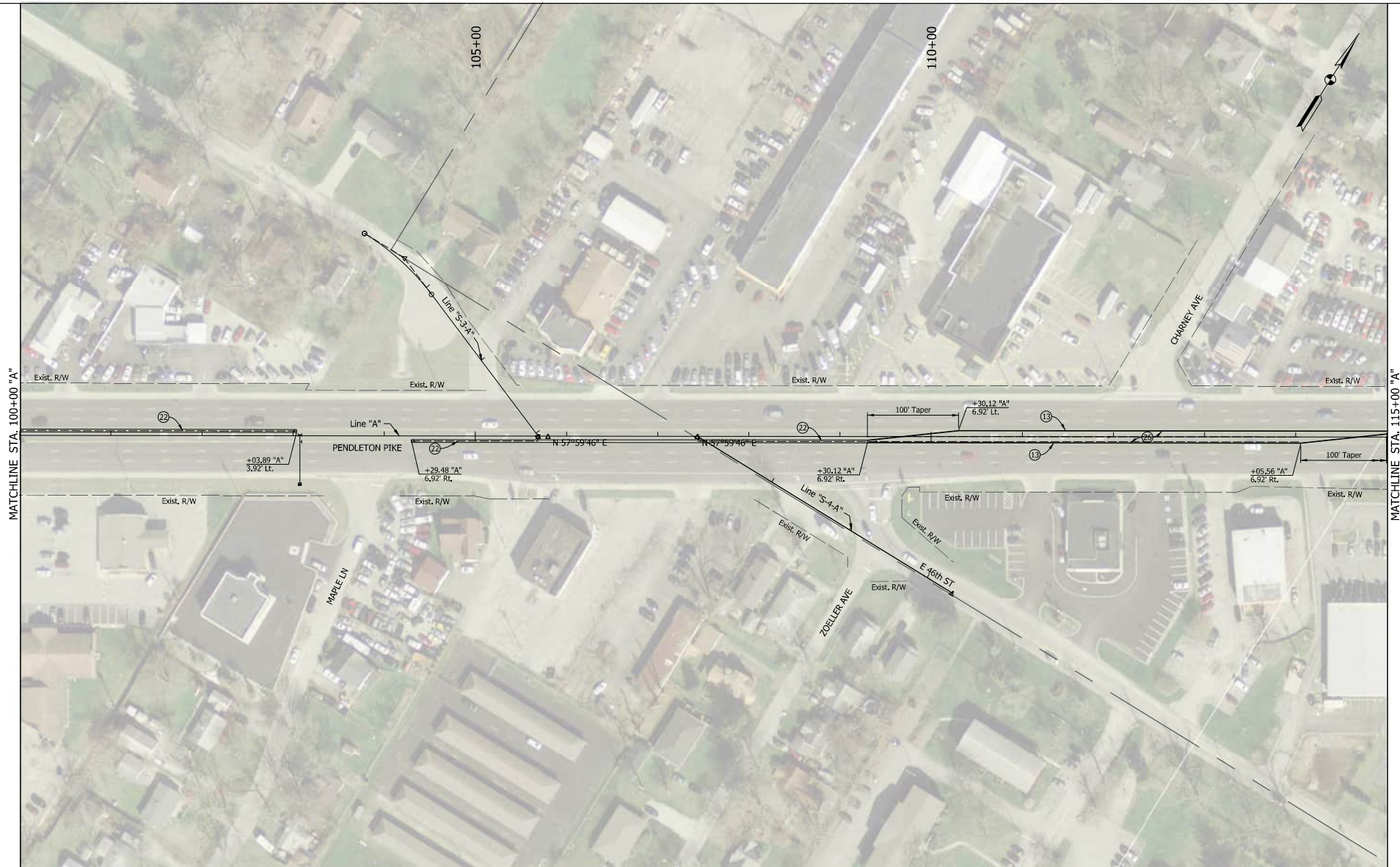


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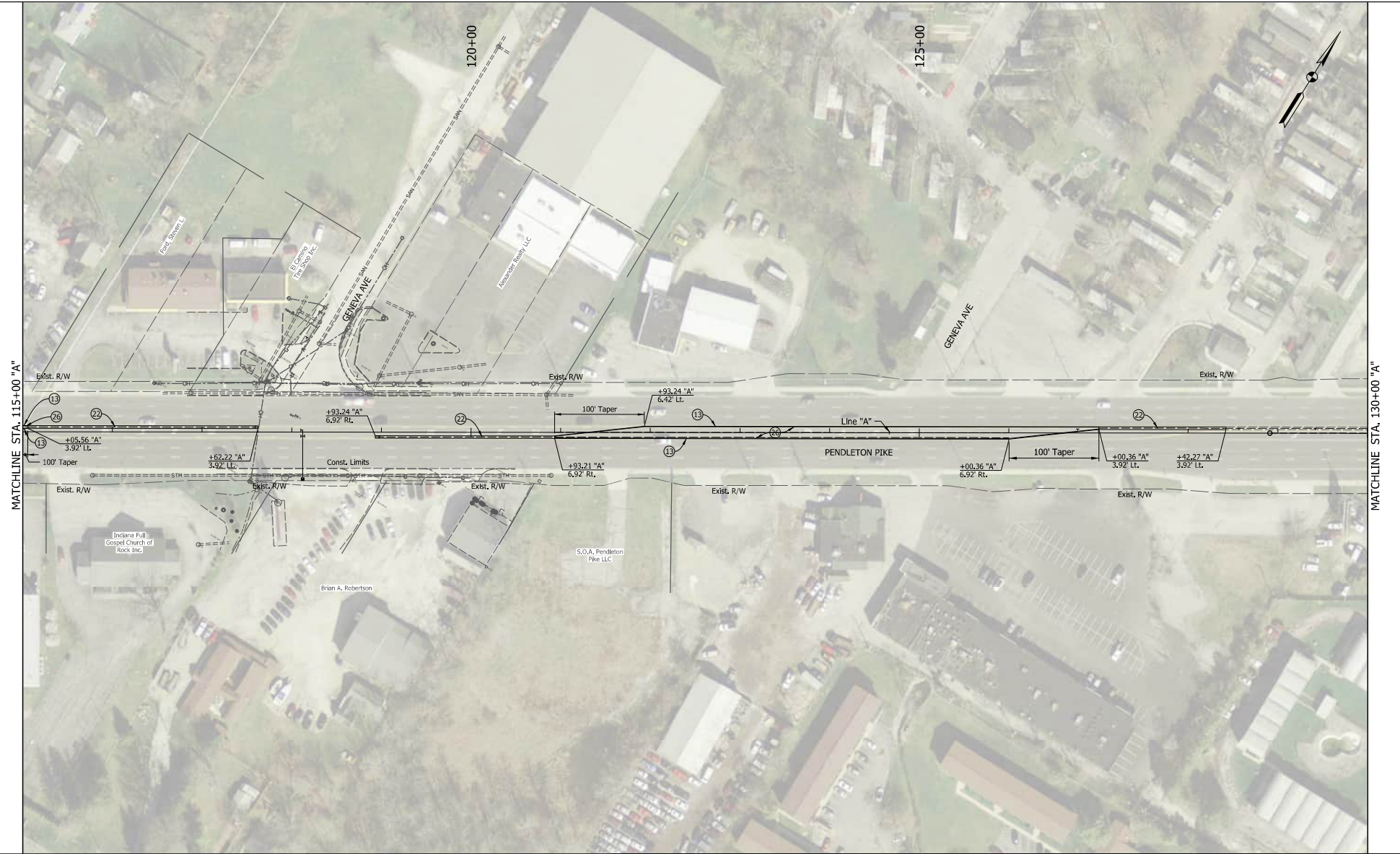
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(K)	165 lb/yd <sup>3</sup> HMA, 2, 70, Surface, 9.5 mm, on 330 lb/yd <sup>3</sup> HMA, 2, 70, Intermediate, 15.0 mm, on 660 lb/yd <sup>3</sup> HMA, 2, 64, Base, 25.0 mm, on Subgrade Treatment, Type IBC	(13)	Curb, Concrete	RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE	N/A	DESIGNATION
(R)	1.5" Milling before 165 lb/yd <sup>3</sup> HMA, 4, 75, Surface, 9.5 mm	(15)	Curb And Gutter, Combined	DESIGNED: BJA	DRAWN: DLM		N/A	1900157
		(20)	Sodding	CHECKED: BJA	CHECKED: BJA		SURVEY BOOK	SHEETS
		(22)	Concrete Center Curb, Type D				N/A	36 of 138
		(24)	Concrete Center Curb, Type A				CONTRACT	PROJECT
		(27)	Mulched Seeding, U				1-42295	1900157
		(28)	Rtbrap, Grouted, 12"					
		(F)	Sidewalk, Concrete					
		(M)	Median Removal					
		(---)	Existing Median to Remain in Place					



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(K)	165 lb/yd <sup>3</sup> HMA, 2, 70, Surface, 9.5 mm, on	(13)	Curb, Concrete						
	330 lb/yd <sup>3</sup> HMA, 2, 70, Intermediate, 15.0 mm, on	(15)	Curb And Gutter, Combined						
	660 lb/yd <sup>3</sup> HMA, 2, 64, Base, 25.0 mm, on	(20)	Sodding						
	Subgrade Treatment, Type IBC	(22)	Concrete Center Curb, Type D						
(R)	1.5" Milling before	(24)	Concrete Center Curb, Type A						
	265 lb/yd <sup>3</sup> HMA, 4, 75, Surface, 9.5 mm	(27)	Mulched Seeding, U						
		(28)	Rtwrap, Grouted, 12"						
		(F)	Sidewalk, Concrete						
		(X)	Median Removal						
		---	Existing Median to Remain in Place						
				RECOMMENDED FOR APPROVAL				DESIGNATION 1900157	
				DESIGNED: BJA		DESIGN ENGINEER		SHEETS	
				DRAWN: DLM		DATE		N/A	
				CHECKED: BJA				37 of 138	
				CHECKED: BJA				PROJECT	
								1900157	











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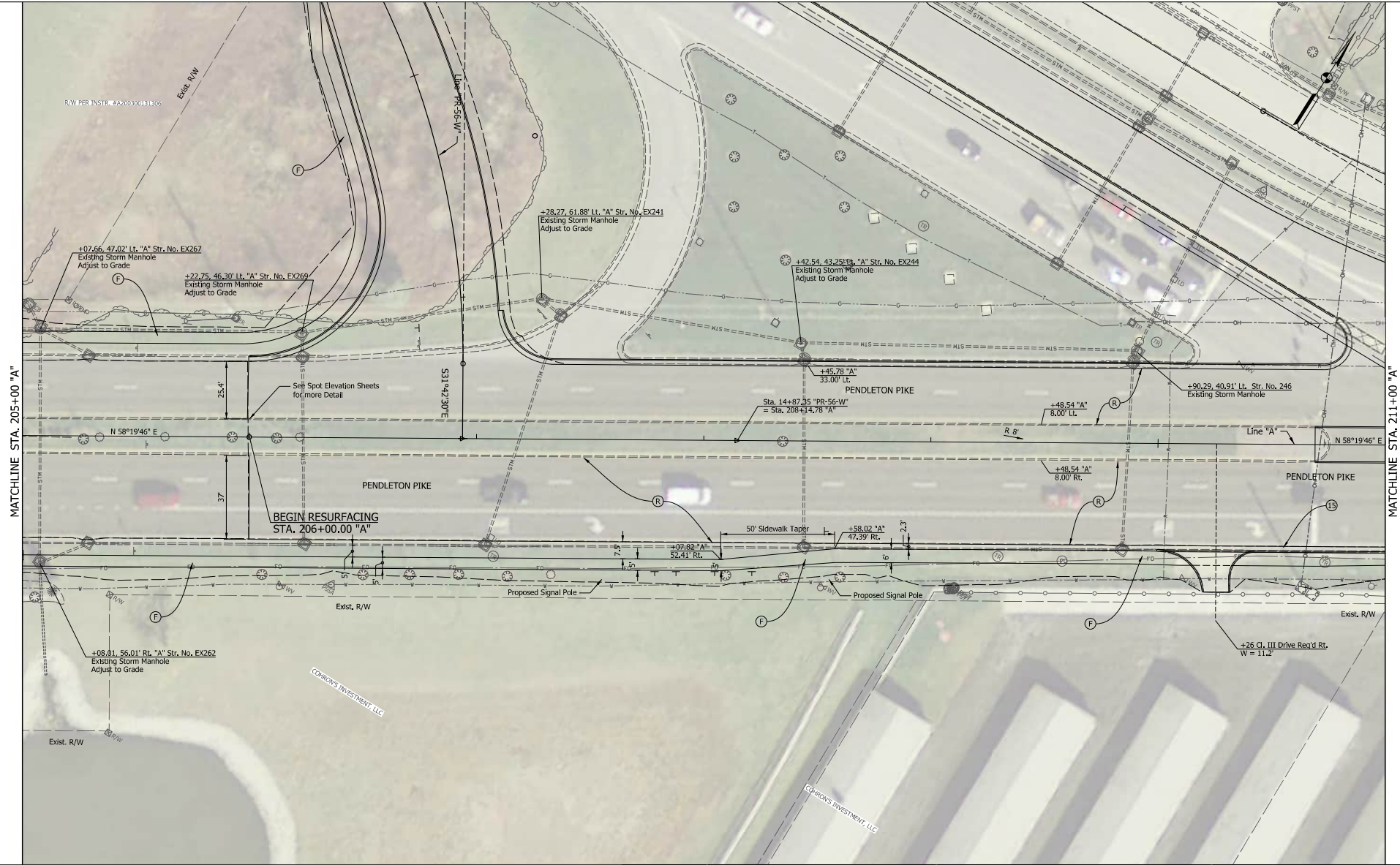






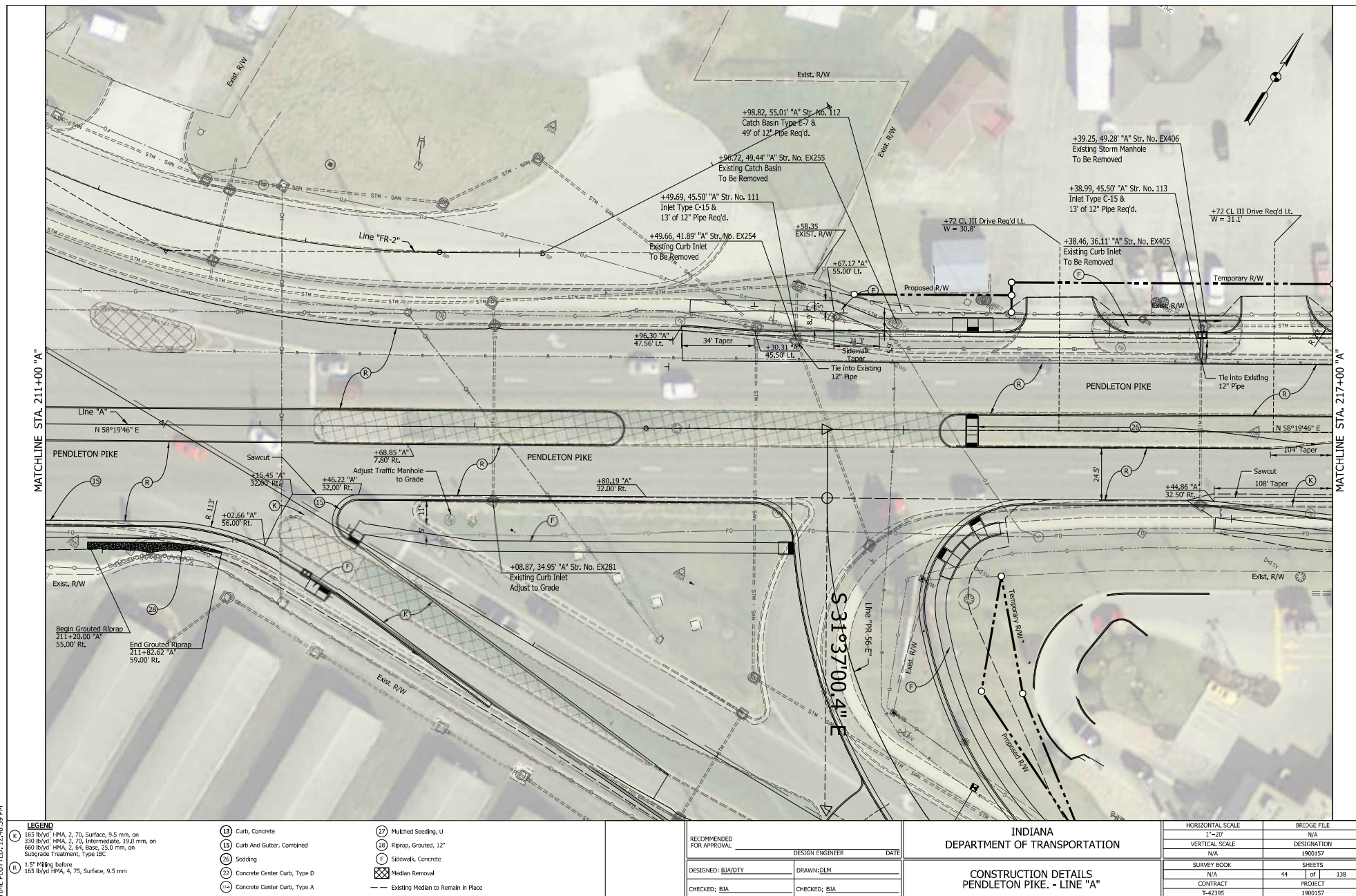


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<div>LEGEND</div> <div><div><div><div>K</div><div>165 lb/yd<sup>3</sup> HMA, 2, 70, Surface, 9.5 mm, on 330 lb/yd<sup>3</sup> HMA, 2, 70, Intermediate, 15.0 mm, on 660 lb/yd<sup>3</sup> HMA, 2, 64, Base, 25.0 mm, on Subgrade Treatment, Type IBC</div></div><div><div>R</div><div>1.5" Milling before 165 lb/yd<sup>3</sup> HMA, 4, 75, Surface, 9.5 mm</div></div></div><div><div><div>13</div><div>Curb, Concrete</div></div><div><div>15</div><div>Curb And Gutter, Combined</div></div><div><div>20</div><div>Sodding</div></div><div><div>22</div><div>Concrete Center Curb, Type D</div></div><div><div>24</div><div>Concrete Center Curb, Type A</div></div></div><div><div><div>27</div><div>Mulched Seeding, U</div></div><div><div>28</div><div>R/Trap, Grouted, 12"</div></div><div><div>F</div><div>Sidewalk, Concrete</div></div><div><div><div><div><div></div><div></div></div><div>Median Removal</div></div></div><div><div>---</div><div>Existing Median to Remain In Place</div></div></div></div></div> <div><div>RECOMMENDED FOR APPROVAL</div><div>DESIGN ENGINEER</div><div>DATE</div></div> <div><div>DESIGNED: BJA/DTY</div><div>DRAWN: DLM</div><div>CHECKED: BJA</div><div>CHECKED: BJA</div></div> <div><div>INDIANA</div><div>DEPARTMENT OF TRANSPORTATION</div><div>CONSTRUCTION DETAILS</div><div>PENDLETON PIKE. - LINE "A"</div></div> <div><div><div>HORIZONTAL SCALE</div><div>1"=20'</div><div>VERTICAL SCALE</div><div>N/A</div><div>SURVEY BOOK</div><div>N/A</div><div>CONTRACT</div><div>T-42395</div></div><div><div>BRIDGE FILE</div><div>N/A</div><div>DESIGNATION</div><div>1900157</div><div>SHEETS</div><div>43 of 138</div><div>PROJECT</div><div>1900157</div></div></div>		
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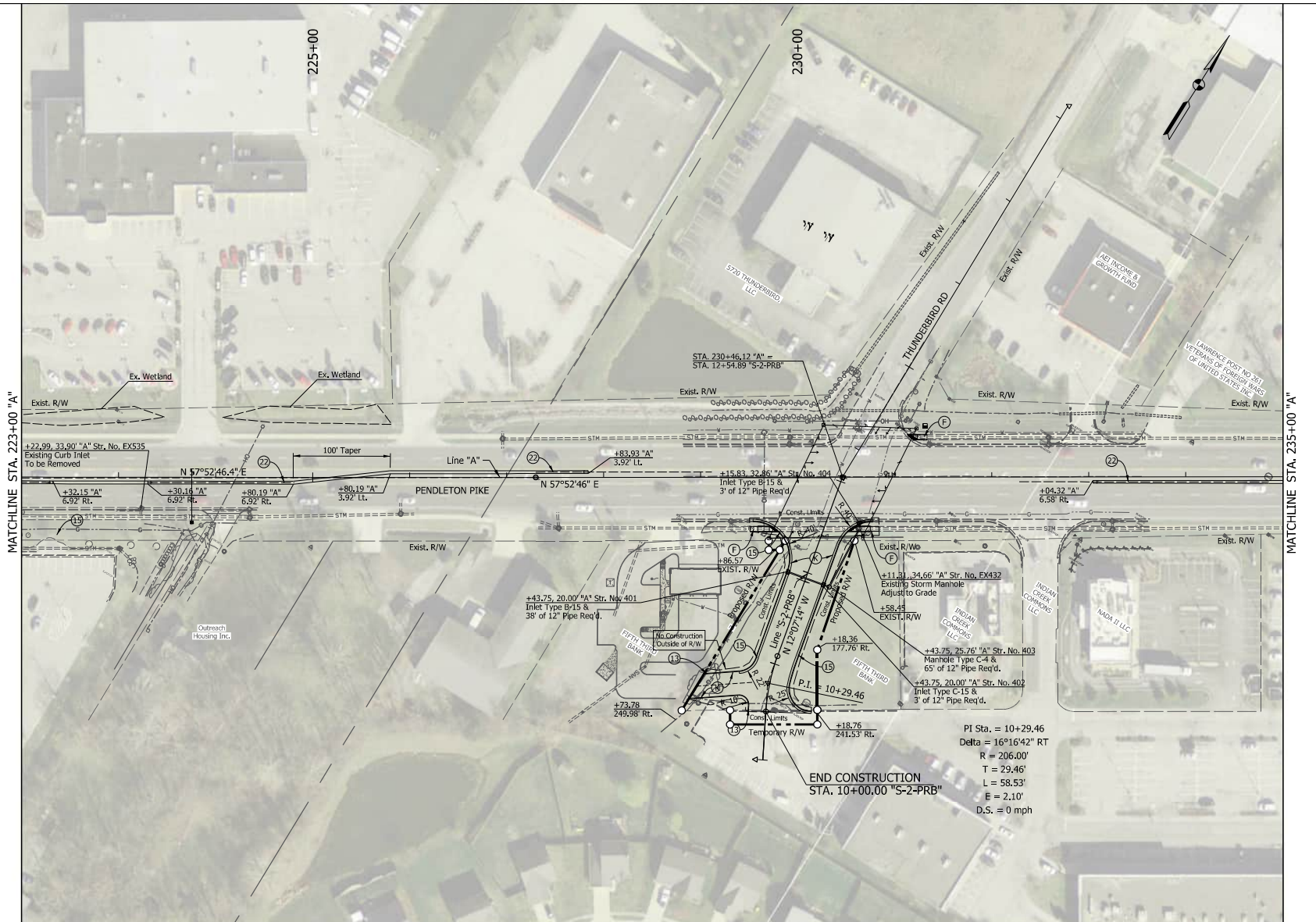








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LEGEND		
(K) 165 lb/yd <sup>3</sup> HMA, 2, 70, Surface, 9.5 mm, on 380 lb/yd <sup>3</sup> HMA, 2, 70, Intermediate, 19.0 mm, on 660 lb/yd <sup>3</sup> HMA, 2, 64, Base, 25.0 mm, on Subgrade Treatment, Type IBC	(13) Curb, Concrete	(27) Mulched Seeding, U
(R) 1.5" Milling before 365 lb/yd <sup>3</sup> HMA, 4, 75, Surface, 9.5 mm	(15) Curb And Gutter, Combined	(28) Bitrap, Grouted, 12"
	(29) Sodding	(F) Sidewalk, Concrete
	(22) Concrete Center Curb, Type D	(X) Median Removal
	(20) Concrete Center Curb, Type A	--- Existing Median to Remain in Place

RECOMMENDED FOR APPROVAL		
DESIGNED: BJA/DTY	DRAWN: DM	DATE:
CHECKED: BJA	CHECKED: BJA	

INDIANA DEPARTMENT OF TRANSPORTATION	
CONSTRUCTION DETAILS PENDLETON PIKE - LINE "A"	

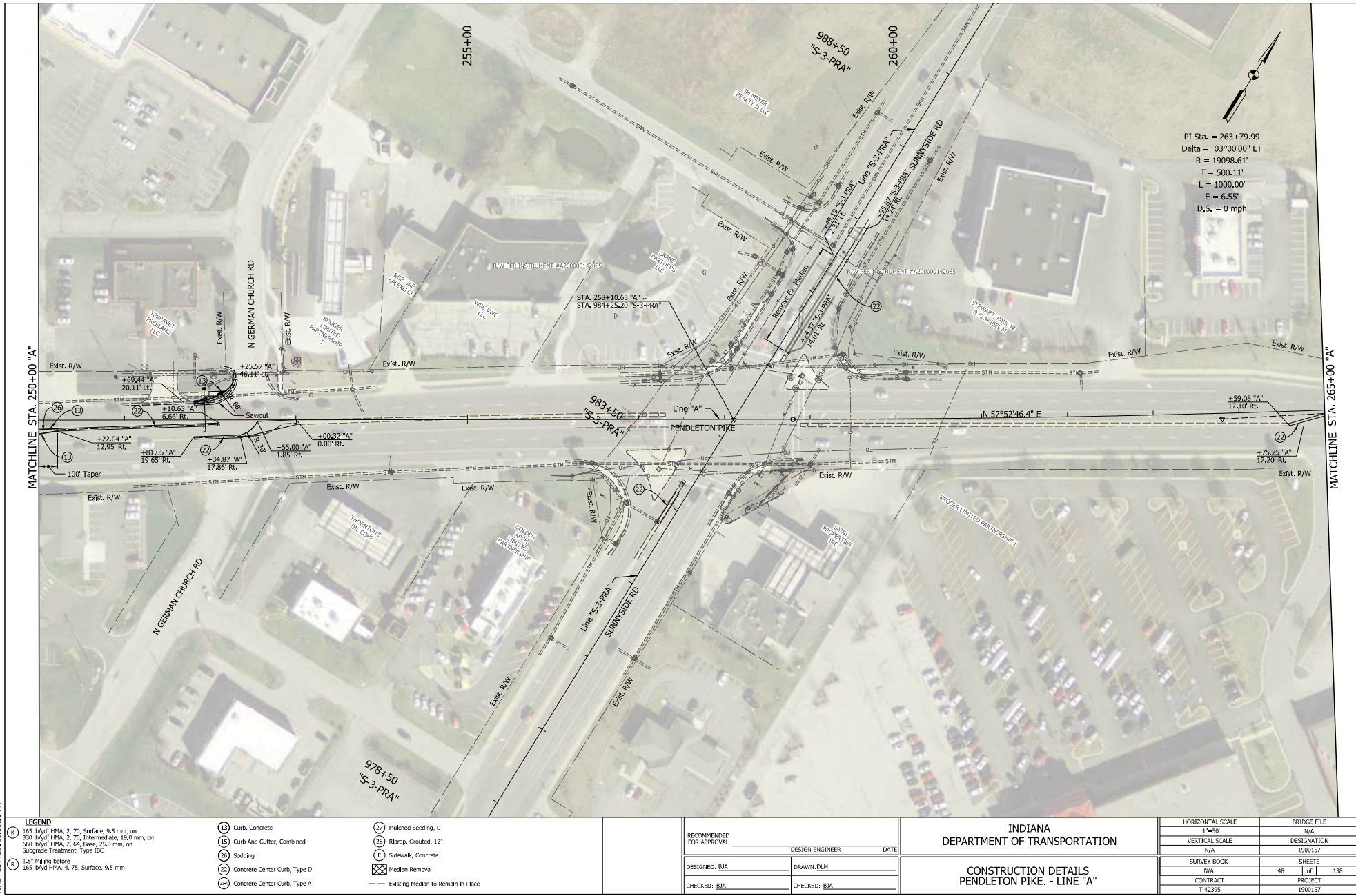
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VERTICAL SCALE	N/A	SURVEY BOOK	SHEETS
		N/A	46 of 138
		CONTRACT	PROJECT
		V-42395	1900157







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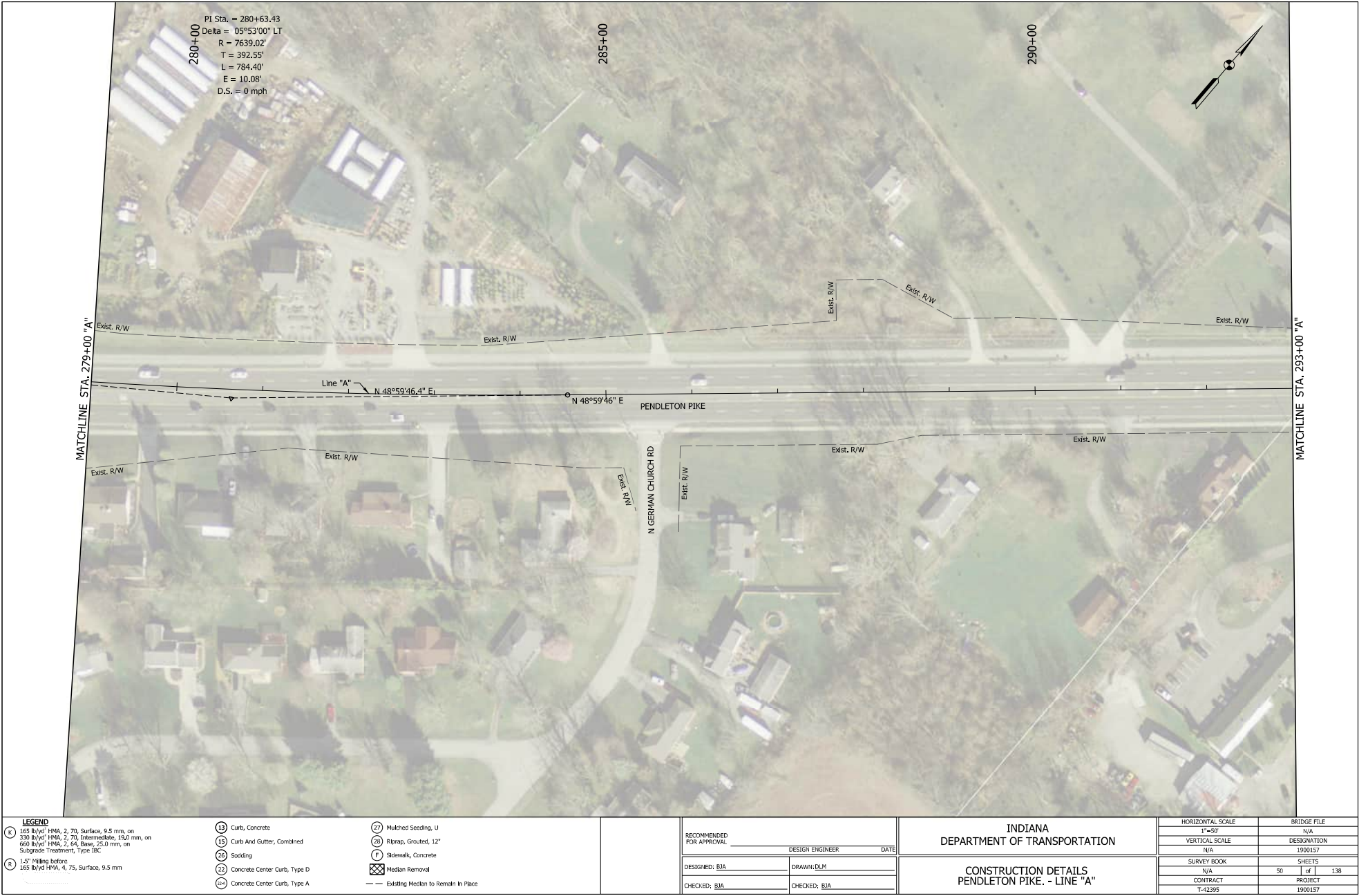








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TIME PLOTTED: 12:53:19 PM













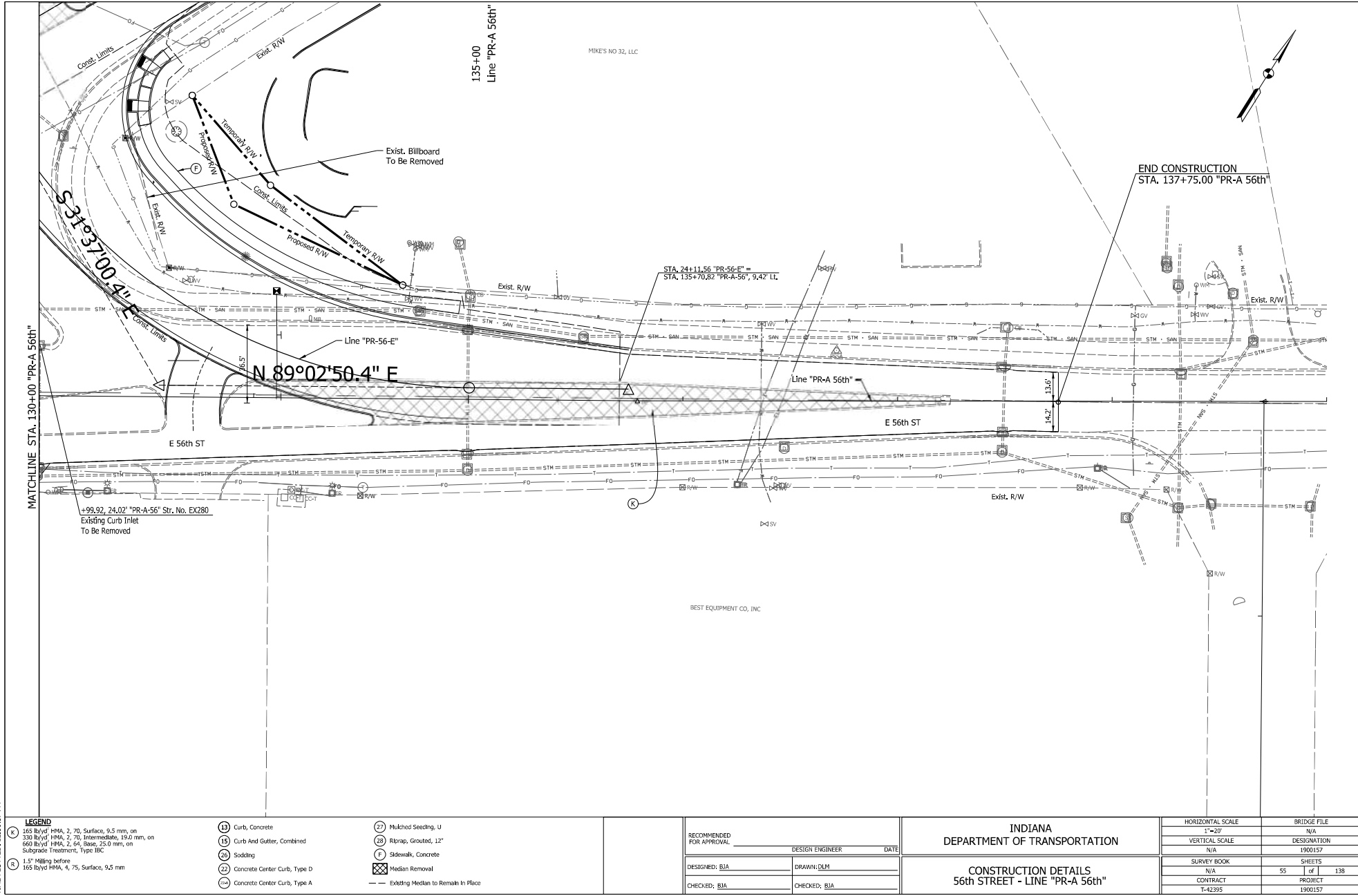






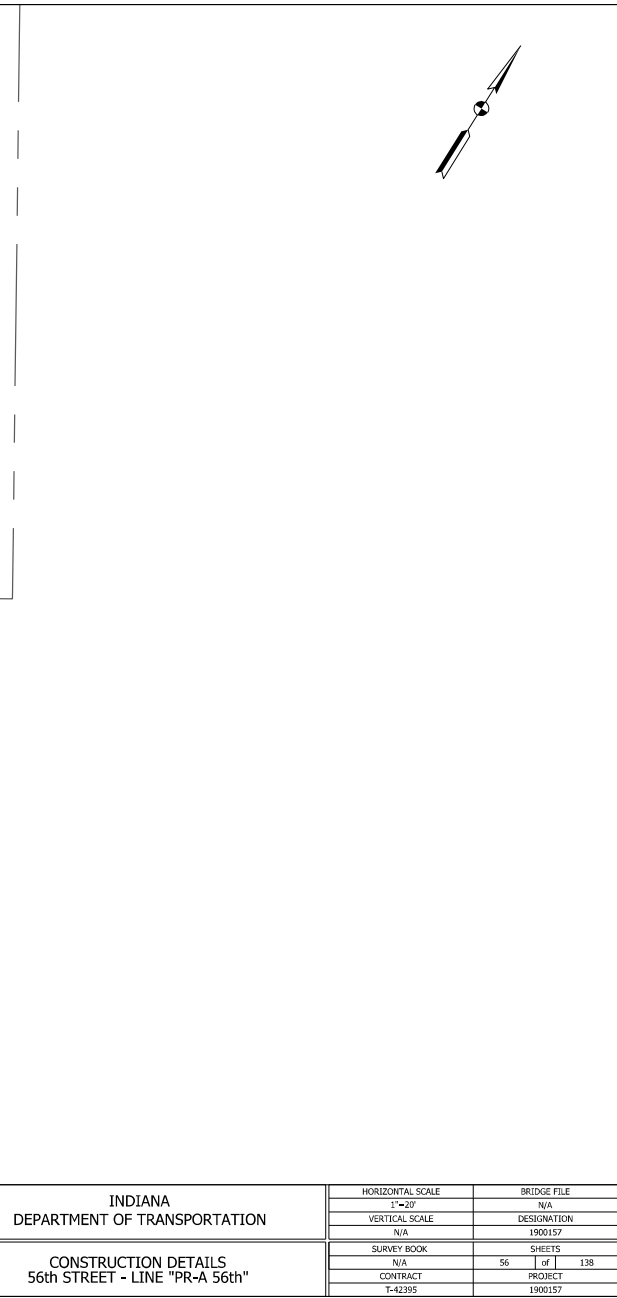


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<div>LEGEND</div> <div><div><div><div><div><div></div></div><div>165 lb/yd HMA, 2, 70, Surface, 9.5 mm, on 330 lb/yd HMA, 2, 70, Intermediate, 19.0 mm, on 660 lb/yd HMA, 2, 64, Base, 25.0 mm, on Subgrade Treatment, Type IBC</div></div><div><div><div></div></div><div>1.5" Milling before 165 lb/yd HMA, 4, 75, Surface, 9.5 mm</div></div></div><div><div><div><div><div></div></div><div>Curb, Concrete</div></div><div><div><div></div></div><div>Curb And Gutter, Combined</div></div><div><div><div></div></div><div>Sodding</div></div><div><div><div></div></div><div>Concrete Center Curb, Type D</div></div><div><div><div></div></div><div>Concrete Center Curb, Type A</div></div></div><div><div><div><div><div></div></div><div>Mulched Seeding, U</div></div><div><div><div></div></div><div>Riprap, Grouted, 12"</div></div><div><div><div></div></div><div>Sidewalk, Concrete</div></div><div><div><div></div></div><div>Median Removal</div></div></div><div><div><div></div></div><div>Existing Median to Remain In Place</div></div></div></div></div></div>			<div>RECOMMENDED FOR APPROVAL</div> <div>DESIGN ENGINEER</div> <div>DATE</div>	<div>INDIANA DEPARTMENT OF TRANSPORTATION</div> <div>CONSTRUCTION DETAILS 56th STREET - LINE "PR-A 56th"</div>
<div><div><div><div><div></div></div><div>1"=20'</div></div><div><div><div></div></div><div>VERTICAL SCALE</div></div><div><div><div></div></div><div>N/A</div></div></div><div><div><div><div></div></div><div>SURVEY BOOK</div></div><div><div><div></div></div><div>N/A</div></div><div><div><div></div></div><div>CONTRACT</div></div><div><div><div></div></div><div>T-42395</div></div></div></div>	<div>BRIDGE FILE</div> <div>N/A</div> <div>DESIGNATION</div> <div>1900157</div> <div>SHEETS</div> <div>55 of 138</div> <div>PROJECT</div> <div>1900157</div>			







## Appendix C

### Early Coordination

<b>Item</b>	<b>Appendix Page</b>
Early Coordination Example Letter	C-1 to C-5
Response - IGWS	C-6 to C-7
Response - IDEM	C-8 to C-14
Response - USFWS	C-15 to C-16
Response - INDOT Aviation	C-17
Response – Policy & Guidance Team Leader (Schirmer Property)	C-18
Response – IDEM Project Manager (EMRO Marketing United #6103)	C-19
Response – IDEM Project Manager (Jiffy Lube)	C-20
Response - NRCS	C-21
Response - IDNR DFW	C-22 to C-26
Response - Lawrence Township Metropolitan School District	C-27 to C-29
Response – Chief Operating Officer (Belle Tire)	C-30
Response – IDEM Project Manager (Village Pantry LLC)	C-31
Response - USFWS IPaC	C-32 to C-58
Response - INDOT SAM	C-59
Response - Tire Discounters Pendleton Pike (7705 East 42nd Street; INRA 03121)	C-60 to C-63
Response – IDEM, Environmental Management	C-64 to C-65
Response – Citizens Source Water Protection Area	C-66





November 16, 2021

{See Attached List}

Re: Early Coordination Letter, Des. No. 1900157  
US 36 (Pendleton Pike), from I-465 to 65<sup>th</sup> Street  
Marion County, Indiana

Dear Interested Agency:

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with an access control project on US 36 (Pendleton Pike), from I-465 to 65<sup>th</sup> Street, in Lawrence, Marion County, Indiana. CHA Consulting, Inc. is under contract with the INDOT to advance the environmental documentation for the above referenced project. This letter is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above designation number and description in your reply. We will incorporate your comments into a study of the project's environmental impacts. Your cooperation in this endeavor is appreciated.

#### **PROJECT LOCATION**

The proposed undertaking is located on US 36 and extends from I-465 for 5.53 miles east to 65<sup>th</sup> Street, located in Lawrence in Marion County, Indiana. Specifically, the project is located in Lawrence Township, in the McCordsville, Lawrence, and Indianapolis East USGS Topographic Quadrangles, in the following: Sections 3, 4, 7, 8, 9, and 18, Township 16 North, Range 5 East: Section 13, Township 16 North, Range 4 East: Sections 33 and 34, Township 17 North, Range 5 East.

#### **EXISTING CONDITIONS**

US 36 is an east-west urban roadway upon level terrain. The existing roadway is classified as an urban minor arterial roadway in this area. The existing roadway varies from a 7-lane wide section along the SW section of the corridor to a 5-lane wide section along the NE section of the corridor. In the eastbound direction, the third through lane is maintained from I-465 through the intersection with Sheila Drive. In the westbound direction, the third through lane is maintained from Post Road to I-465 signalized intersection. The existing roadway consists of travel lanes varying from 11 feet to 12 feet with curb and gutter and a Two-Way Left Turn Lane (TWLTL) in the center of the road that varies from 12 feet to 15 feet. Raised concrete median exists at each signalized intersection for each left turn lane and around the 56<sup>th</sup> Street intersection with the exception of the entrance to Walmart and Sheila Road. The posted speed limit is 40 miles per hour (mph) west of Mitthoeffer Road and 45 mph to the east. Existing right-of-way is approximately 55 to 65 feet from the centerline on each side of US 36.

Land use in the vicinity of the project is primarily commercial with residential properties dispersed throughout. Three streams run north and south through the project area; Indian Creek, Billings Creek and Mock Creek. The National Wetland Inventory (NWI) map and the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) maps were reviewed for the presence of water features in the project area. Two mapped wetlands and four floodplains were identified within the project area. Field investigations will be conducted to verify this information. A Waters of the US Report will be prepared and coordination with INDOT Environmental Services Division (ESD) Ecology and Waterway Permitting Office (EWPO) will occur. This project qualifies for the application of the USFWS range-wide programmatic informal consultation for the Indiana bat and northern longeared bat and project information will be submitted through USFWS's Information for Planning and Consultation (IPaC) separately.

#### **TRAFFIC VOLUME**

Current traffic levels indicate an expected annual average daily traffic (AADT) in 2025 of 2,650 vehicles per day (vpd) on Thunderbird Road, including 5% trucks. The AADT for Thunderbird Road is expected to increase to 3,220 vpd in design year 2045 according to the traffic forecast including in the November 20, 2020 Engineer's Report. Current traffic levels on US 36 also indicate expected AADT in 2025 of 51,880 vpd, including 4% trucks. The AADT for US 36 is expected to increase to 65,680 vpd in design year 2045. Current traffic levels indicate an expected AADT in 2025 of



17,370 vpd on 56<sup>th</sup> Street, including 2% trucks. The AADT for 56<sup>th</sup> Street is expected to increase to 20,030 vpd in design year 2045.

### **PROJECT PURPOSE AND NEED**

The project need is the above average frequency of high severity crashes throughout the US 36 corridor, from I-465 to 65<sup>th</sup> Street. Per RoadHAT 3.0 analysis (traffic engineering safety modeling software) of 2015-2017 crash period, the most recent data available at the time of this analysis, 48% of intersections and segments throughout the corridor had an index of crash cost greater than the 1.5 threshold, prompting further study. The purpose of the project is to reduce the number of severe crashes throughout US 36 corridor, from I-465 to 65<sup>th</sup> Street.

The secondary need for the project is to connect non-motorized transportation routes throughout this section of US 36. Pedestrian connectivity is specifically lacking between Mitthoeffer Road and 56<sup>th</sup> Street. Curb ramps at US 36 and Geneva, US 36 and Teresa Lane, US 36<sup>th</sup> on the Walmart entrance, US 36 and Mitthoeffer Road, US 36 and 56<sup>th</sup> Street, and US 36 and Thunderbird Road do not currently meet Americans with Disabilities Act (ADA) requirements and therefore create a connectivity barrier. The secondary purpose of the project is to connect non-motorized transportation routes throughout this section of US 36.

### **PROPOSED IMPROVEMENTS**

This proposed access control project would address the project need by creating a center raised concrete median to replace the TWLTL. Loons would be constructed near Mowery Street, Geneva Avenue, Shelia Drive, and Teresa Lane to improve safety. A loon is rounded pavement that is constructed outside of the normal traffic lanes to allow for larger vehicles to safely make a U-turn on a divided roadway. Drainage work is anticipated at the US 36 and Geneva Avenue, US 36 and 52<sup>nd</sup> Street, US 36 and Wheel Estate Drive, US 36 and 56<sup>th</sup> Street, US 36 and Teresa Lane, and US 36 and Thunderbird Road intersections. Sidewalk will be installed from Mitthoeffer Road to 56<sup>th</sup> Street to connect pedestrian routes along the corridor. Curb ramps will be installed at US 36 and Geneva, US 36 and Teresa Lane, US 36<sup>th</sup> on the Walmart entrance, US 36 and Mitthoeffer Road, US 36 and 56<sup>th</sup> Street, and US 36 and Thunderbird Road. The US 36 and Thunderbird Road intersection will be converted from a 3-leg to a 4-leg signalized intersection. The 4<sup>th</sup> leg will connect to existing commercial facilities approximately 200 feet south of US 36. The existing traffic signal dual-diagonals will be replaced with box-spans to improve sight distance, additional signal coordination will be supplementary to various intersections. Traffic Signal Poles are expected to be installed at the US 36 and Franklin Street, US 36 and Mitthoeffer Street and US 36 and 56<sup>th</sup> Street intersections. Modification to Mitthoeffer Road intersection will add a 200-foot northbound right turn lane to eastbound US 36.

A total acquisition of 1.47 acres of right-of-way is anticipated. The anticipated right-of-way acquisition is as follows: Mowery Street approximately 0.1 acres, Geneva Avenue approximately 0.19 acres, 52<sup>nd</sup> Street approximately 0.05 acres, Shelia Drive approximately 0.07 acres, Teresa Lane approximately 0.18 acres, and Thunderbird Road approximately 0.68 acres. The Mitthoeffer Road modifications are anticipated to acquire 0.2 acres of right-of-way. At this time, there are no residential or business relocations or temporary right-of-way acquisition anticipated.

Traffic will be maintained throughout construction through use of lane closures. Traffic will be limited to two thru lanes in each direction. The maintenance of traffic will consist of two phases. In the first phase, traffic will be shifted to the inside lanes of US 36 while the 56<sup>th</sup> Street pavement, sidewalk, loons, miscellaneous curb improvements and Thunderbird intersection extension are constructed. Loons will be constructed at Geneva Avenue, Wheel Estates Drive, and Teresa Lane. The Thunderbird Road extension is planned to be new road construction. In the second phase, traffic will be shifted to the outside lanes on US 36 for the center raised median construction. The MOT for the 56<sup>th</sup> Street are still under consideration. Construction is expected to begin in the fall of 2023 and is anticipated to be completed in the fall of 2024.

### **HISTORIC RESOURCES**

As the Section 106 process advances, the project area will be surveyed by individuals satisfying the Secretary of the Interior Professional Qualification Standards to determine an area of potential effect (APE), make recommendations on eligibility determinations and assess effects on potential historic resources. Additionally, the project area will be subjected to an archaeological reconnaissance by a qualified archaeologist. Coordination with INDOT Cultural Resources Office will occur. The results of this investigation will be forwarded to the State Historic Preservation Officer (SHPO) for review and concurrence.





**EARLY COORDINATION**

As part of our early coordination effort for the proposed project, please study the enclosed information and provide a written evaluation of the potential impacts upon resources that are under your jurisdiction. It is requested, that you return a reply within 30-days of receipt of this packet. If no reply has been received within thirty (30) calendar days from the date of this letter, it would be indicated in the environmental document, which is to be prepared for the referenced project, that your agency has no comment on the project.

Your cooperation in expediting the development of the referenced project is appreciated. If you have any questions regarding this matter, please feel free to contact Kaitlyn Etzkorn, CHA Environmental Scientist at [ketzorn@chacompanies.com](mailto:ketzorn@chacompanies.com) or (317) 780-7214. Thank you in advance for your input.

Best Regards,

CHA Consulting, Inc.



Kaitlyn Etzkorn  
Environmental Scientist II

Attachments:

Project Area Maps  
Project Area Photographs

cc: Ms. Christine Williams, INDOT Project Manager  
Mr. Doug Bender, P.E., Project Manager, CHA  
File#059751





**US 36 (Pendleton Pike), from I-465 to 65<sup>th</sup> Street Access Control Project**  
**Marion County, Indiana**  
**Des. No. 1900157**

**Agencies Receiving Early Coordination Packet**

Federal Highway Administration  
Federal Office Building, Room 254  
575 North Pennsylvania Street  
Indianapolis, Indiana 46204  
robert.dirks@dot.gov

Indiana Geological and Water Survey  
611 North Walnut Grove  
Bloomington, IN 47405  
(Website submittal)

Environmental Coordinator  
Indiana Department of Natural Resources  
Division of Fish and Wildlife  
402 West Washington Street, Rm. W273  
Indianapolis, IN 46204  
environmentalreview@dnr.in.gov

Indiana Department of Environmental Management  
Office of Planning and Assessment  
(Website submittal)

Regional Environmental Coordinator  
Midwest Regional Office  
National Park Service  
601 Riverfront Drive  
Omaha, Nebraska 68102  
mwro\_compliance@nps.gov

Wellhead Proximity Determinator Website  
(Website submittal)

Field Environmental Officer, Chicago Regional Office  
US Department of Housing & Urban Development  
Metcalf Fed. Bldg.  
77 W. Jackson Blvd. Room 2401  
Chicago, IL 60604  
Erik.r.sandstedt@hud.gov

Mr. Brandon Miller, Senior Environmental Manager  
Indiana Department of Transportation  
100 N. Senate Avenue, Room N758-ES  
Indianapolis, IN 46204  
bramiller1@indot.in.gov

Ms. Christine Williams, Project Manager  
Indiana Department of Transportation  
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chwilliams@indot.in.gov

Ms. Taylor Darrah, Environmental Section Manager  
IN Dept. of Transportation, Greenfield District  
32 S Broadway Street  
Greenfield, IN 46140  
tdarrah@indot.in.gov

**Distribution Date: November 16, 2021**

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Bloomington Indiana Field Office  
620 South Walker Street  
Bloomington, Indiana 47403  
robin\_mckilliams@fws.gov

Indiana Department of Transportation  
Office of Aviation  
100 N. Senate Avenue, Rm. 955  
Indianapolis, Indiana 46204  
jcourtade@indot.in.gov

State Conservationist  
Natural Resources Conservation Service  
6013 Lakeside Boulevard  
Indianapolis, Indiana 46278  
Attn: rick.neilson@in.usda.gov

Ms. Deborah Snyder  
US Army Corps of Engineers  
Louisville District, Indianapolis Regulatory Office  
Indianapolis, IN 46216  
RegulatoryApplicationsLRL@usace.army.mil

Ms. Anna Gremling, Executive Director  
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anna.gremling@indympo.org

Mr. Joseph O'Connor, President  
Marion County Commissioners  
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Indianapolis, IN, 46204  
taylordn@myips.org

Mr. Matt Miles, Director of Transportation  
Lawrence Township Metropolitan School District  
5850 Thunderbird Road  
Indianapolis, Indiana 46236  
mattmiles@msdlt.k12.in.us

Mayor Steve Collier, Mayor  
City of Lawrence  
9001 East 59<sup>th</sup> Street  
Lawrence, Indiana 46216  
mayor@cityoflawrence.org



**US 36 (Pendleton Pike), from I-465 to 65<sup>th</sup> Street Access Control Project**  
**Marion County, Indiana**  
**Des. No. 1900157**

**Agencies Receiving Early Coordination Packet**

**Distribution Date: November 16, 2021**

Mr. Sri Venugopalan, Director of Engineering  
City of Lawrence  
9001 East 59<sup>th</sup> Street  
Lawrence, Indiana 46216  
svenugopalan@cityoflawrence.org

Mr. Sam Anderson, Utilities and Railroad Director  
100 North Senate Avenue, IGCN 758 – UT/RR  
Indianapolis, IN 46204  
saanderson2@indot.in.gov

Ms. Lisa Chavis, President  
City of Lawrence, Common Council  
9001 East 59<sup>th</sup> Street  
Lawrence, Indiana 46216  
Attn: rrafala@cityoflawrence.org

Mr. Jim Heneghan, Director  
City of Lawrence, Streets Department  
9001 East 59<sup>th</sup> Street  
Lawrence, Indiana 46216  
Attn: rrafala@cityoflawrence.org

Mr. Eric Martin, Director  
The City of Lawrence, Parks and Recreation  
9001 East 59<sup>th</sup> Street  
Lawrence, Indiana 46216  
Attn: rrafala@cityoflawrence.org

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dhofmann@cityoflawrence.org

Mr. Dino Batalis, Fire Chief  
Lawrence Fire Department  
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Ms. Rene Rafala  
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Ms. Robin Stump  
Indiana District 5 EMS Coordinator  
rstump@dhs.in.gov

Ms. Leslie Stewart  
Indiana District 5 Operations Manager  
admin@indianadistrict5.com

Lawrence Full Gospel Tabernacle  
8669 Pendleton Pike #6603  
Indianapolis, Indiana 46226

Ms. Donna Price, Assistant Administrator  
License and Permit Services  
donna.price@indy.gov

Please Note - The maps and photographs attached to the original letter have been removed and included in Appendix B of this document





## **Organization and Project Information**

**Project ID:**

**Des. ID:** 1900157

**Project Title:** US 36 (Pendleton Pike), from I-465 to 65th St., Access Control Project

**Name of Organization:** CHA Consulting

**Requested by:** Kaitlyn Etzkorn

## **Environmental Assessment Report**

1. Geological Hazards:

- Moderate liquefaction potential
- Floodway

2. Mineral Resources:

- Bedrock Resource: High Potential
- Sand and Gravel Resource: Low Potential

3. Active or abandoned mineral resources extraction sites:

- Petroleum Exploration Wells

\*All map layers from Indiana Map ([maps.indiana.edu](http://maps.indiana.edu))

### **DISCLAIMER:**

This document was compiled by Indiana University, Indiana Geological Survey, using data believed to be accurate; however, a degree of error is inherent in all data. This product is distributed "AS-IS" without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability to a particular purpose or use. No attempt has been made in either the design or production of these data and document to define the limits or jurisdiction of any federal, state, or local government. The data used to assemble this document are intended for use only at the published scale of the source data or smaller (see the metadata links below) and are for reference purposes only. They are not to be construed as a legal document or survey instrument. A detailed on-the-ground survey and historical analysis of a single site may differ from these data and this document.

This information was furnished by Indiana Geological Survey

Address: 1001 E. 10th St., Bloomington, IN 47405

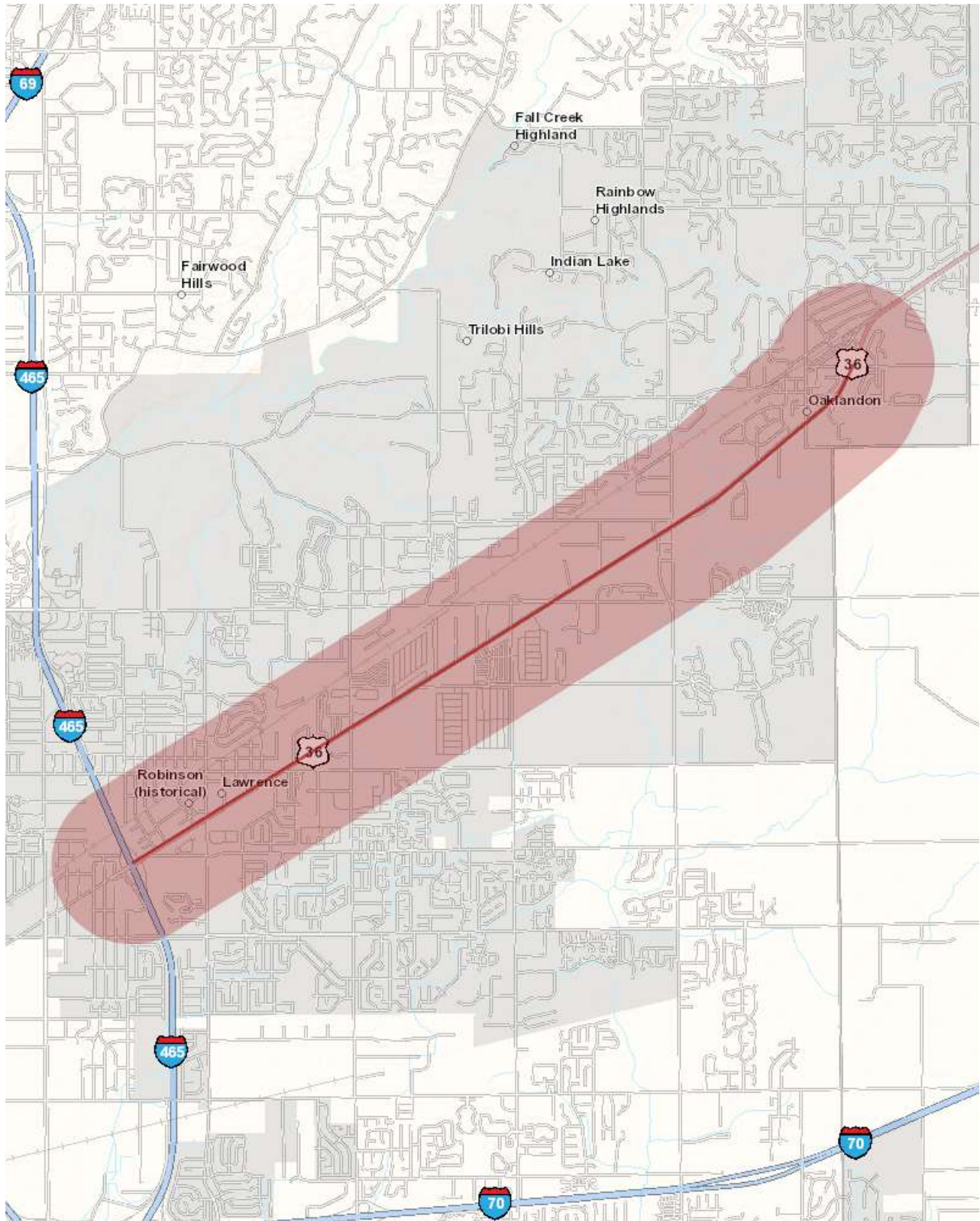
Email: [IGSEnvir@indiana.edu](mailto:IGSEnvir@indiana.edu)

Phone: 812 855-7428

Date: November 16, 2021











# Indiana Department of Environmental Management

*We Protect Hoosiers and Our Environment.*

100 North Senate Avenue - Indianapolis, IN 46204  
(800) 451-6027 - (317) 232-8603 - [www.idem.IN.gov](http://www.idem.IN.gov)

Indiana Department of Transportation  
Christine Williams  
100 N Senate Ave Ste N642  
Indianapolis , IN 46204  
Date

CHA Consulting Inc.  
Kaitlyn Etzkorn  
300 S. Meridian Street  
Indianapolis , IN 46225

To Engineers and Consultants Proposing Roadway Construction Projects:

RE: The INDOT, with funding from the FHWA, proposes to proceed with an access control project on US 36, from I-465 to 65th Street, in Lawrence, Marion County, Indiana. The proposed project includes: a raised median replacing the TWLTL; loons constructed near Mowery Street, Geneva Avenue, Shelia Drive, and Teresa Lane; drainage work at multiple intersections; sidewalks installed from Mitthoeffer Road to 56th Street; curb ramps installed at multiple intersections; converting the Thunderbird Road intersection to a 4-leg signalized intersection; installing Traffic Signal Poles at several intersections; adding a 200-foot northbound right-turn lane to US 36 at the Mitthoeffer Road intersection.

This letter from the Indiana Department of Environmental Management (IDEM) serves as a standardized response to enquiries inviting IDEM comments on roadway construction, reconstruction, or other improvement projects within existing roadway corridors when the proposed scope of the project is beneath the threshold requiring a formal National Environmental Policy Act-mandated Environmental Assessment or Environmental Impact Statement. As the letter attempts to address all roadway-related environmental topics of potential concern, it is possible that not every topic addressed in the letter will be applicable to your particular roadway project.

For additional information on specific roadway-related topics of interest, please visit the appropriate Web pages cited below, many of which provide contact information for persons within the various program areas who can answer questions not fully addressed in this letter. Also please be mindful that some environmental requirements may be subject to change and so each person intending to include a copy of this letter in their project documentation packet is advised to download the most recently revised version of the letter; found at: <http://www.in.gov/idem/5283.htm> (<http://www.in.gov/idem/5283.htm>).

To ensure that all environmentally-related issues are adequately addressed, IDEM recommends that you read this letter in its entirety, and consider each of the following issues as you move forward with the planning of your proposed roadway construction, reconstruction, or improvement project:

## WATER AND BIOTIC QUALITY

1. Section 404 of the Clean Water Act requires that you obtain a permit from the U.S. Army Corps of Engineers (USACE) before discharging dredged or fill materials into any wetlands or other waters, such as rivers, lakes, streams, and ditches. Other activities regulated include the relocation, channelization, widening, or other such alteration of a stream, and the mechanical clearing (use of heavy construction equipment) of wetlands. Thus, as a project owner or sponsor, it is your responsibility to ensure that no wetlands are



disturbed without the proper permit. Although you may initially refer to the U.S. Fish and Wildlife Service National Wetland Inventory maps as a means of identifying potential areas of concern, please be mindful that those maps do not depict jurisdictional wetlands regulated by the USACE or the Department of Environmental Management. A valid jurisdictional wetlands determination can only be made by the USACE, using the 1987 Wetland Delineation Manual.

USACE recommends that you have a consultant check to determine whether your project will abut, or lie within, a wetland area. To view a list of consultants that have requested to be included on a list posted by the USACE on their Web site, see USACE Permits and Public Notices (<http://www.lrl.usace.army.mil/orf/default.asp>) (<http://www.lrl.usace.army.mil/orf/default.asp>) and then click on "Information" from the menu on the right-hand side of that page. Their "Consultant List" is the fourth entry down on the "Information" page. Please note that the USACE posts all consultants that request to appear on the list, and that inclusion of any particular consultant on the list does not represent an endorsement of that consultant by the USACE, or by IDEM.

Much of northern Indiana (Newton, Lake, Porter, LaPorte, St. Joseph, Elkhart, LaGrange, Steuben, and Dekalb counties; large portions of Jasper, Starke, Marshall, Noble, Allen, and Adams counties; and lesser portions of Benton, White, Pulaski, Kosciusko, and Wells counties) is served by the USACE District Office in Detroit (313-226-6812). The central and southern portions of the state (large portions of Benton, White, Pulaski, Kosciusko, and Wells counties; smaller portions of Jasper, Starke, Marshall, Noble, Allen, and Adams counties; and all other Indiana counties located in north-central, central, and southern Indiana) are served by the USACE Louisville District Office (502-315-6733).

Additional information on contacting these U.S. Army Corps of Engineers (USACE) District Offices, government agencies with jurisdiction over wetlands, and other water quality issues, can be found at <http://www.in.gov/idem/4396.htm> (<http://www.in.gov/idem/4396.htm>). IDEM recommends that impacts to wetlands and other water resources be avoided to the fullest extent.

2. In the event a Section 404 wetlands permit is required from the USACE, you also must obtain a Section 401 Water Quality Certification from the IDEM Office of Water Quality Wetlands Program. To learn more about the Wetlands Program, visit: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>).
3. If the USACE determines that a wetland or other water body is isolated and not subject to Clean Water Act regulation, it is still regulated by the state of Indiana. A State Isolated Wetland permit from IDEM's Office of Water Quality (OWQ) is required for any activity that results in the discharge of dredged or fill materials into isolated wetlands. To learn more about isolated wetlands, contact the OWQ Wetlands Program at 317-233-8488.
4. If your project will involve over a 0.5 acre of wetland impact, stream relocation, or other large-scale alterations to water bodies such as the creation of a dam or a water diversion, you should seek additional input from the OWQ Wetlands Program staff. Consult the Web at: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>) for the appropriate staff contact to further discuss your project.
5. Work within the one-hundred year floodway of a given water body is regulated by the Department of Natural Resources, Division of Water. The Division issues permits for activities regulated under the follow statutes:
  - IC 14-26-2 Lakes Preservation Act 312 IAC 11
  - IC 14-26-5 Lowering of Ten Acre Lakes Act No related code
  - IC 14-28-1 Flood Control Act 310 IAC 6-1
  - IC 14-29-1 Navigable Waterways Act 312 IAC 6
  - IC 14-29-3 Sand and Gravel Permits Act 312 IAC 6



- IC 14-29-4 Construction of Channels Act No related code

For information on these Indiana (statutory) Code and Indiana Administrative Code citations, see the DNR Web site at: <http://www.in.gov/dnr/water/9451.htm> (<http://www.in.gov/dnr/water/9451.htm>) . Contact the DNR Division of Water at 317-232-4160 for further information.

The physical disturbance of the stream and riparian vegetation, especially large trees overhanging any affected water bodies should be limited to only that which is absolutely necessary to complete the project. The shade provided by the large overhanging trees helps maintain proper stream temperatures and dissolved oxygen for aquatic life.

6. For projects involving construction activity (which includes clearing, grading, excavation and other land disturbing activities) that result in the disturbance of one (1), or more, acres of total land area, contact the Office of Water Quality – Watershed Planning Branch (317/233-1864) regarding the need for of a Rule 5 Storm Water Runoff Permit. Visit the following Web page
  - <http://www.in.gov/idem/4902.htm> (<http://www.in.gov/idem/4902.htm>)

To obtain, and operate under, a Rule 5 permit you will first need to develop a Construction Plan (<http://www.in.gov/idem/4917.htm#constreq> (<http://www.in.gov/idem/4917.htm#constreq>)), and as described in 327 IAC 15-5-6.5 (<http://www.in.gov/legislative/iac/T03270/A00150> [PDF] (<http://www.in.gov/legislative/iac/T03270/A00150.PDF>), pages 16 through 19). Before you may apply for a Rule 5 Permit, or begin construction, you must submit your Construction Plan to your county Soil and Water Conservation District (SWCD) (<http://www.in.gov/isda/soil/contacts/map.html> (<http://www.in.gov/isda/soil/contacts/map.html>)).

Upon receipt of the construction plan, personnel of the SWCD or the Indiana Department of Environmental Management will review the plan to determine if it meets the requirements of 327 IAC 15-5. Plans that are deemed deficient will require re-submittal. If the plan is sufficient you will be notified and instructed to submit the verification to IDEM as part of the Rule 5 Notice of Intent (NOI) submittal. Once construction begins, staff of the SWCD or Indiana Department of Environmental Management will perform inspections of activities at the site for compliance with the regulation.

Please be mindful that approximately 149 Municipal Separate Storm Sewer System (MS4) areas are now being established by various local governmental entities throughout the state as part of the implementation of Phase II federal storm water requirements. All of these MS4 areas will eventually take responsibility for Construction Plan review, inspection, and enforcement. As these MS4 areas obtain program approval from IDEM, they will be added to a list of MS4 areas posted on the IDEM Website at: <http://www.in.gov/idem/4900.htm> (<http://www.in.gov/idem/4900.htm>).

If your project is located in an IDEM-approved MS4 area, please contact the local MS4 program about meeting their storm water requirements. Once the MS4 approves the plan, the NOI can be submitted to IDEM.

Regardless of the size of your project, or which agency you work with to meet storm water requirements, IDEM recommends that appropriate structures and techniques be utilized both during the construction phase, and after completion of the project, to minimize the impacts associated with storm water runoff. The use of appropriate planning and site development and appropriate storm water quality measures are recommended to prevent soil from leaving the construction site during active land disturbance and for post construction water quality concerns. Information and assistance regarding storm water related to construction activities are available from the Soil and Water Conservation District (SWCD) offices in each county or from IDEM.



7. For projects involving impacts to fish and botanical resources, contact the Department of Natural Resources - Division of Fish and Wildlife (317/232-4080) for addition project input.
8. For projects involving water main construction, water main extensions, and new public water supplies, contact the Office of Water Quality - Drinking Water Branch (317-308-3299) regarding the need for permits.
9. For projects involving effluent discharges to waters of the State of Indiana , contact the Office of Water Quality - Permits Branch (317-233-0468) regarding the need for a National Pollutant Discharge Elimination System (NPDES) permit.
10. For projects involving the construction of wastewater facilities and sewer lines, contact the Office of Water Quality - Permits Branch (317-232-8675) regarding the need for permits.

## AIR QUALITY

The above-noted project should be designed to minimize any impact on ambient air quality in, or near, the project area. The project must comply with all federal and state air pollution regulations. Consideration should be given to the following:

1. Regarding open burning, and disposing of organic debris generated by land clearing activities; some types of open burning are allowed (<http://www.in.gov/idem/4148.htm> (<http://www.in.gov/idem/4148.htm>)) under specific conditions. You also can seek an open burning variance from IDEM.

However, IDEM generally recommends that you take vegetative wastes to a registered yard waste composting facility or that the waste be chipped or shredded with composting on site (you must register with IDEM if more than 2,000 pounds is to be composted; contact 317/232-0066). The finished compost can then be used as a mulch or soil amendment. You also may bury any vegetative wastes (such as leaves, twigs, branches, limbs, tree trunks and stumps) onsite, although burying large quantities of such material can lead to subsidence problems, later on.

Reasonable precautions must be taken to minimize fugitive dust emissions from construction and demolition activities. For example, wetting the area with water, constructing wind barriers, or treating dusty areas with chemical stabilizers (such as calcium chloride or several other commercial products). Dirt tracked onto paved roads from unpaved areas should be minimized.

Additionally, if construction or demolition is conducted in a wooded area where blackbirds have roosted or abandoned buildings or building sections in which pigeons or bats have roosted for 3-5 years precautionary measures should be taken to avoid an outbreak of histoplasmosis. This disease is caused by the fungus *Histoplasma capsulatum*, which stems from bird or bat droppings that have accumulated in one area for 3-5 years. The spores from this fungus become airborne when the area is disturbed and can cause infections over an entire community downwind of the site. The area should be wetted down prior to cleanup or demolition of the project site. For more detailed information on histoplasmosis prevention and control, please contact the Acute Disease Control Division of the Indiana State Department of Health at (317) 233-7272.

2. The U.S. EPA and the Surgeon General recommend that people not have long-term exposure to radon at levels above 4 pCi/L. (For a county-by-county map of predicted radon levels in Indiana, visit: <http://www.in.gov/idem/4145.htm> (<http://www.in.gov/idem/4145.htm>).)

The U.S. EPA further recommends that all homes (and apartments within three stories of ground level) be tested for radon. If in-home radon levels are determined to be 4 pCi/L, or higher, EPA recommends a follow-up test. If the second test confirms that radon levels are 4 pCi/L, or higher, EPA recommends the installation



of radon-reduction measures. (For a list of qualified radon testers and radon mitigation (or reduction) specialists visit: [http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon\\_testers\\_mitigators\\_list.pdf](http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf) ([http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon\\_testers\\_mitigators\\_list.pdf](http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf))). It also is recommended that radon reduction measures be built into all new homes, particularly in areas like Indiana that have moderate to high predicted radon levels.

To learn more about radon, radon risks, and ways to reduce exposure visit:

<http://www.in.gov/isdh/regsvcs/radhealth/radon.htm> (<http://www.in.gov/isdh/regsvcs/radhealth/radon.htm>), <http://www.in.gov/idem/4145.htm> (<http://www.in.gov/idem/4145.htm>), or <http://www.epa.gov/radon/index.html> (<http://www.epa.gov/radon/index.html>).

3. With respect to asbestos removal: all facilities slated for renovation or demolition (except residential buildings that have (4) four or fewer dwelling units and which will not be used for commercial purposes) must be inspected by an Indiana-licensed asbestos inspector prior to the commencement of any renovation or demolition activities. If regulated asbestos-containing material (RACM) that may become airborne is found, any subsequent demolition, renovation, or asbestos removal activities must be performed in accordance with the proper notification and emission control requirements.

If no asbestos is found where a renovation activity will occur, or if the renovation involves removal of less than 260 linear feet of RACM off of pipes, less than 160 square feet of RACM off of other facility components, or less than 35 cubic feet of RACM off of all facility components, the owner or operator of the project does not need to notify IDEM before beginning the renovation activity.

For questions on asbestos demolition and renovation activities, you can also call IDEM's Lead/Asbestos section at 1-888-574-8150.

However, in all cases where a demolition activity will occur (even if no asbestos is found), the owner or operator must still notify IDEM 10 working days prior to the demolition, using the form found at <http://www.in.gov/icpr/webfile/formsdiv/44593.pdf> (<http://www.in.gov/icpr/webfile/formsdiv/44593.pdf>).

Anyone submitting a renovation/demolition notification form will be billed a notification fee based upon the amount of friable asbestos containing material to be removed or demolished. Projects that involve the removal of more than 2,600 linear feet of friable asbestos containing materials on pipes, or 1,600 square feet or 400 cubic feet of friable asbestos containing material on other facility components, will be billed a fee of \$150 per project; projects below these amounts will be billed a fee of \$50 per project. All notification remitters will be billed on a quarterly basis.

For more information about IDEM policy regarding asbestos removal and disposal, visit:

<http://www.in.gov/idem/4983.htm> (<http://www.in.gov/idem/4983.htm>).

4. With respect to lead-based paint removal: IDEM encourages all efforts to minimize human exposure to lead-based paint chips and dust. IDEM is particularly concerned that young children exposed to lead can suffer from learning disabilities. Although lead-based paint abatement efforts are not mandatory, any abatement that is conducted within housing built before January 1, 1978, or a child-occupied facility is required to comply with all lead-based paint work practice standards, licensing and notification requirements. For more information about lead-based paint removal visit: <http://www.in.gov/isdh/19131.htm> (<http://www.in.gov/isdh/19131.htm>).
5. Ensure that asphalt paving plants are permitted and operate properly. The use of cutback asphalt, or asphalt emulsion containing more than seven percent (7%) oil distillate, is prohibited during the months April through October. See 326 IAC 8-5-2, Asphalt Paving Rule



(<http://www.ai.org/legislative/iac/T03260/A00080.PDF>  
(<http://www.ai.org/legislative/iac/T03260/A00080.PDF>)).

6. If your project involves the construction of a new source of air emissions or the modification of an existing source of air emissions or air pollution control equipment, it will need to be reviewed by the IDEM Office of Air Quality (OAQ). A registration or permit may be required under 326 IAC 2 (View at: [www.ai.org/legislative/iac/t03260/a00020.pdf](http://www.ai.org/legislative/iac/t03260/a00020.pdf) (<http://www.ai.org/legislative/iac/t03260/a00020.pdf>)). New sources that use or emit hazardous air pollutants may be subject to Section 112 of the Clean Air Act and corresponding state air regulations governing hazardous air pollutants.
7. For more information on air permits visit: <http://www.in.gov/idem/4223.htm> (<http://www.in.gov/idem/4223.htm>), or to initiate the IDEM air permitting process, please contact the Office of Air Quality Permit Reviewer of the Day at (317) 233-0178 or OAMPROD at [adem.state.in.us](mailto:adem.state.in.us).

## LAND QUALITY

In order to maintain compliance with all applicable laws regarding contamination and/or proper waste disposal, IDEM recommends that:

1. If the site is found to contain any areas used to dispose of solid or hazardous waste, you need to contact the Office of Land Quality (OLQ) at 317-308-3103.
2. All solid wastes generated by the project, or removed from the project site, need to be taken to a properly permitted solid waste processing or disposal facility. For more information, visit <http://www.in.gov/idem/4998.htm> (<http://www.in.gov/idem/4998.htm>).
3. If any contaminated soils are discovered during this project, they may be subject to disposal as hazardous waste. Please contact the OLQ at 317-308-3103 to obtain information on proper disposal procedures.
4. If PCBs are found at this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding management of any PCB wastes from this site.
5. If there are any asbestos disposal issues related to this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding the management of asbestos wastes (Asbestos removal is addressed above, under Air Quality).
6. If the project involves the installation or removal of an underground storage tank, or involves contamination from an underground storage tank, you must contact the IDEM Underground Storage Tank program at 317/308-3039. See: <http://www.in.gov/idem/4999.htm> (<http://www.in.gov/idem/4999.htm>).

## FINAL REMARKS

Should you need to obtain any environmental permits in association with this proposed project, please be mindful that IC 13-15-8 requires that you notify all adjoining property owners and/or occupants within ten days your submittal of each permit application. However, if you are seeking multiple permits, you can still meet the notification requirement with a single notice if all required permit applications are submitted with the same ten day period.

Should the scope of the proposed project be expanded to the extent that a National Environmental Policy Act Environmental Assessment (EA) or Environmental Impact Statement (EIS) is required, IDEM will actively participate in any early interagency coordination review of the project.



Meanwhile, please note that this letter does not constitute a permit, license, endorsement or any other form of approval on the part of the Indiana Department of Environmental Management regarding any project for which a copy of this letter is used. Also note that it is the responsibility of the project engineer or consultant using this letter to ensure that the most current draft of this document, which is located at <http://www.in.gov/idem/5284.htm> (<http://www.in.gov/idem/5284.htm>), is used.

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## Signature(s) of the Applicant

I acknowledge that the following proposed roadway project will be financed in part, or in whole, by public monies.

## Project Description

The INDOT, with funding from the FHWA, proposes to proceed with an access control project on US 36, from I-465 to 65th Street, in Lawrence, Marion County, Indiana. The proposed project includes: a raised median replacing the TWLTL; loons constructed near Mowery Street, Geneva Avenue, Shelia Drive, and Teresa Lane; drainage work at multiple intersections; sidewalks installed from Mitthoeffer Road to 56th Street; curb ramps installed at multiple intersections; converting the Thunderbird Road intersection to a 4-leg signalized intersection; installing Traffic Signal Poles at several intersections; adding a 200-foot northbound right-turn lane to US 36 at the Mitthoeffer Road intersection.

With my signature, I do hereby affirm that I have read the letter from the Indiana Department of Environment that appears directly above. In addition, I understand that in order to complete that project in which I am interested, with a minimum of impact to the environment, I must consider all the issues addressed in the aforementioned letter, and further, that I must obtain any required permits.

Date: 5/4/2022

Signature of the INDOT

Project Engineer or Other Responsible Agent Christine Williams

Christine Williams

Date: 5/4/2022

Signature of the

For Hire Consultant Kaitlyn Etzkorn

Kaitlyn Etzkorn



US Fish and Wildlife

**Etzkorn, Kaitlyn**

---

**From:** McWilliams, Robin <robin\_mcwilliams@fws.gov>  
**Sent:** Wednesday, November 17, 2021 11:33 AM  
**To:** Etzkorn, Kaitlyn  
**Subject:** [--EXTERNAL--]: Re: [EXTERNAL] US 36 (Pendleton Pike), from I-465 to 65th Street Access Control Project, Des. No. 1900157

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Kaitlyn,

This responds to your recent letter requesting our comments on the aforementioned project.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

The project is within the range of the Indiana bat (*Myotis sodalis*) and northern long-eared bat (*Myotis septentrionalis*) and should follow the new Indiana bat/northern long-eared bat programmatic consultation process, if applicable (*i.e.* a federal transportation nexus is established). The Service has 14 days after a “Not Likely to Adversely Affect” determination letter is generated to review the project and provide additional comments or request additional information; if you do not receive a response from us within 14 days, we have no additional comments.

Wetland and stream impacts may require permits from the U.S. Army Corps of Engineers, the Indiana Department of Environmental Management’s Water Quality Certification program, and the Indiana Department of Natural Resources. Wetland impacts should be avoided, and any unavoidable impacts should be compensated for in accordance with agency mitigation guidelines. If new storm sewers, gutters, or drains are planned, we recommend using pollutant-trapping technology such as storm drain inserts, etc. to reduce runoff of urban pollutants directly to any receiving stream systems.

Based on a review of the information you provided, the U.S. Fish and Wildlife Service has no other comments on the project as currently proposed. However, should new information arise pertaining to project plans or a revised species list be published, it will be necessary for the Federal agency to reinitiate consultation. Standard recommendations are provided below.

We appreciate the opportunity to comment at this early stage of project planning. If you have any questions about our recommendations, please contact me at robin\_mcwilliams@fws.gov or you may call 812-334-4261 x. 207.

Sincerely,  
Robin McWilliams Munson



## Standard Recommendations:

1. Do not clear trees or understory vegetation outside the construction zone boundaries. **(This restriction is not related to the “tree clearing” restriction for potential Indiana Bat habitat.)**
2. Restrict below low-water work in streams to placement of culverts, piers, pilings and/or footings, shaping of the spill slopes around the bridge abutments, and placement of riprap.  
Culverts should span the active stream channel, should be either embedded or a 3-sided or open-arch culvert, and be installed where practicable on an essentially flat slope. When an open-bottom culvert or arch is used in a stream, which has a good natural bottom substrate, such as gravel, cobbles and boulders, the existing substrate should be left undisturbed beneath the culvert to provide natural habitat for the aquatic community.
3. Restrict channel work and vegetation clearing to the minimum necessary for installation of the stream crossing structure.
4. Minimize the extent of hard armor (riprap) in bank stabilization by using bioengineering techniques whenever possible. If riprap is utilized for bank stabilization, extend it below low-water elevation to provide aquatic habitat.
5. Implement temporary erosion and sediment control methods within areas of disturbed soil. All disturbed soil areas upon project completion will be vegetated following INDOT’s standard specifications.
6. Avoid all work within the inundated part of the stream channel (in perennial streams and larger intermittent streams) during the fish spawning season (April 1 through June 30), except for work within sealed structures such as caissons or cofferdams that were installed prior to the spawning season. No equipment shall be operated below Ordinary High-Water Mark during this time unless the machinery is within the caissons or on the cofferdams.
7. Evaluate wildlife crossings under bridge/culverts projects in appropriate situations. Suitable crossings include flat areas below bridge abutments with suitable ground cover, high water shelves in culverts, amphibian tunnels and diversion fencing

Robin McWilliams Munson  
Fish and Wildlife Biologist  
U.S. Fish and Wildlife Service  
620 South Walker Street  
Bloomington, IN 46142  
812-334-4261

Mon-Tues 8-3:30p

Wed-Thurs 8:30-3p Telework

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**From:** Etzkorn, Kaitlyn <KEtzkorn@chacompanies.com>

**Sent:** Tuesday, November 16, 2021 11:29 AM

**To:** McWilliams, Robin <robin\_mcwilliams@fws.gov>

**Subject:** [EXTERNAL] US 36 (Pendleton Pike), from I-465 to 65th Street Access Control Project, Des. No. 1900157

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Ms. Robin McWilliams ,



INDOT Aviation

**Etzkorn, Kaitlyn**

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**From:** Courtade, Julian <JCourtade@indot.IN.gov>  
**Sent:** Wednesday, November 17, 2021 7:13 AM  
**To:** Etzkorn, Kaitlyn  
**Subject:** [--EXTERNAL--]: RE: US 36 (Pendleton Pike), from I-465 to 65th Street Access Control Project, Des. No. 1900157

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Kaitlyn –

I reviewed the Early Coordination Letter and found no issues with any surrounding airspace or public-use airports. This is due to the project meeting the required glideslope criteria from the nearest public-use facility according to 14 CFR Part 77 – Safe, efficient use, and preservation of the navigable airspace.

If any object will exceed 200 ft in height regardless of location, the object will need to be airspaced with the FAA 45 days prior to construction through the OEAAA portal below.

<https://oeaaa.faa.gov/oeaaa/external/searchAction.jsp>

Please let me know if you have any questions!

Thanks,

**Julian L. Courtade**

**Chief Airport Inspector**

100 North Senate Ave, N758-MM

Indianapolis, IN 46204

**Cell:** (317) 954-7385

**Email:** [jcourtade@indot.in.gov](mailto:jcourtade@indot.in.gov)



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**From:** Etzkorn, Kaitlyn <KEtzkorn@chacompanies.com>  
**Sent:** Tuesday, November 16, 2021 11:27 AM  
**To:** Courtade, Julian <JCourtade@indot.IN.gov>  
**Subject:** US 36 (Pendleton Pike), from I-465 to 65th Street Access Control Project, Des. No. 1900157

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Mr. Julian Courtade,



Schirmer Property

**Etzkorn, Kaitlyn**

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**From:** Concannon, Tracy <TCONCANN@ifa.IN.gov>  
**Sent:** Thursday, November 18, 2021 4:47 PM  
**To:** Etzkorn, Kaitlyn  
**Subject:** [--EXTERNAL--]: RE: Schirmer Property (7600 Pendleton Pike; AI 120368)

Hi Kaitlyn,

Schirmer Property  
7600 Pendleton Pike  
Brownfield #4180304  
#49-07-13-116-011.000-407

The February 2021 Comfort Letter and environmental restrictive covenant (ERC) was issued for four parcels one of which was the Schirmer Property. Virtual File Cabinet (VFC) Document #83109721/Recorded ERC - VFC Document #83171958

No soil or groundwater contamination was detected on the Schirmer Property parcel. Land use restrictions in the ERC were based on soil and groundwater contaminants detected on the other three parcels comprising the redevelopment project area. One of the other project area parcels is also located along Pendleton Pike:

Templeton Foodshop 10  
7602 Pendleton Pike  
UST FID #16679  
LUST Incident #199401528  
Brownfield #4180301  
#49-07-13-116-016.000-407

No contaminants in soil on this parcel at concentrations above Excavation Worker Screening Levels, only metals and petroleum constituents in groundwater at concentrations above Residential TAP Groundwater Screening Levels and/or Residential Vapor Exposure Screening Levels. Refer to the Tables and Maps in the ERC.

The new corporate headquarters building for Freije Engineering is currently being constructed on the project area parcels.

Let me know if you need any further information.

Thank you,  
Tracy



**Tracy Concannon**  
*Policy & Guidance Team Leader*  
INDIANA FINANCE AUTHORITY  
100 North Senate Ave, STE 1275  
Indianapolis, IN 46204  
(p): 317-233-2801  
(e): [TConcann@ifa.in.gov](mailto:TConcann@ifa.in.gov)

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**From:** Etzkorn, Kaitlyn <KEtzkorn@chacompanies.com>  
**Sent:** Thursday, November 18, 2021 3:07 PM



## ERMO Marketing

### Etzkorn, Kaitlyn

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**From:** Turley, Jeff <JTURLEY@idem.IN.gov>  
**Sent:** Monday, November 22, 2021 9:07 AM  
**To:** Etzkorn, Kaitlyn  
**Subject:** [--EXTERNAL--]: RE: Ermo Marketing (LUST) (8444 Pendleton Pike; AI 17145)

Kaitlyn,

All information concerning the leaking UST release can be found in the IDEM Virtual File Cabinet.

#### Jeff Turley

Senior Environmental Manager | Petroleum Remediation Section  
Petroleum Branch | Office of Land Quality  
(317) 234-5063, [jturley@idem.in.gov](mailto:jturley@idem.in.gov)



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**From:** Etzkorn, Kaitlyn <KEtzkorn@chacompanies.com>  
**Sent:** Thursday, November 18, 2021 10:54 AM  
**To:** Turley, Jeff <JTURLEY@idem.IN.gov>  
**Subject:** Ermo Marketing (LUST) (8444 Pendleton Pike; AI 17145)

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Hello Mr. Turley,

My firm is tasked with design and project development, on behalf of Indiana Department of Transportation (INDOT) of US 36 (Pendleton Pike) Access Control Project. This project involves a 5.53 mile strip along US 36 from I-465 to 65<sup>th</sup> Street, in Marion County, Indiana (Des. No. 1900157). INDOT-SAM has requested we follow-up.

The following location was identified to contain LUST, which may affect our project and may require additional information:

#### **Ermo Marketing (LUST) (8444 Pendleton Pike; AI 17145).**

I'm looking for any additional insight into this site that may not be in the VFC and that would inform our design and allow us to attach commitments to the contract. Given the likelihood of low level petroleum contaminated soil and groundwater product being encountered on site and within right-of-way, our default is to provide quantities for disposal and commitments for worker PPE/safety. The excavation depths at this location are up to 2 feet deep. Additional information can be provided upon request.

Thank you,

#### Kaitlyn Etzkorn

Environmental Scientist II



Jiffy Lube a.k.a Q Lube

**Etzkorn, Kaitlyn**

---

**From:** Berry, Jill <jberry@idem.IN.gov>  
**Sent:** Tuesday, November 23, 2021 9:39 AM  
**To:** Etzkorn, Kaitlyn  
**Subject:** [--EXTERNAL--]: RE: Jiffy Lube (LUST) (7969 Pendleton Pike; AI 17084)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Ms. Etzkorn,

I don't have any additional information on this site. It closed without the use of an Environmental Restrictive Covenant with groundwater at only one well having any exceedance above screening levels.

Regards,

Jill



**Jill Berry, CFE**  
Petroleum Branch  
Office of Land Quality  
Indiana Department of Environmental Management

(317) 234-0981 | [jberry@idem.IN.gov](mailto:jberry@idem.IN.gov)



---

**From:** Etzkorn, Kaitlyn <KEtzkorn@chacompanies.com>  
**Sent:** Thursday, November 18, 2021 10:45 AM  
**To:** Berry, Jill <jberry@idem.IN.gov>  
**Subject:** Jiffy Lube (LUST) (7969 Pendleton Pike; AI 17084)

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

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Good morning Ms. Berry,

My firm is tasked with design and project development, on behalf of Indiana Department of Transportation (INDOT) of US 36 (Pendleton Pike) Access Control Project. This project involves a 5.53 mile strip along US 36 from I-465 to 65<sup>th</sup> Street, in Marion County, Indiana (Des. No. 1900157). INDOT-SAM has requested we follow-up.

The following location was identified to contain LUST, which may affect our project and may require additional information:

**Jiffy Lube (LUST) (7969 Pendleton Pike; AI 17084).**



December 10, 2021

Kaitlyn Etzkorn  
CHA Consulting, Inc.  
Union Station  
300 South Meridian Street  
Indianapolis, Indiana 46225  
[ketzkorn@chacompanies.com](mailto:ketzcorn@chacompanies.com)

Dear Ms. Etzkorn:

The proposed project to address the high severity of crashes along the US 36 corridor from I-465 to 65<sup>th</sup> Street by constructing a median to replace the TWLTL in Marion County, Indiana (Des No. 1900157), as referred to in your letter received November 16, 2021, will not cause a conversion of prime farmland.

If you need additional information, please contact John Allen at 317-295-5859  
[john.allen@usda.gov](mailto:john.allen@usda.gov).

Sincerely,

**RICHARD  
NEILSON**

Digitally signed by  
RICHARD NEILSON  
Date: 2021.12.13  
13:31:39 -05'00'

RICK NEILSON  
State Soil Scientist

---

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**State of Indiana**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Fish and Wildlife**  
**Early Coordination/Environmental Assessment**

**DNR #:** ER-24257

**Request Received:** November 16, 2021

**Requestor:** CHA Consulting, Inc  
Kaitlyn Etzkorn  
300 South Meridian Street  
Indianapolis, IN 46225

**Project:** US 36 (Pendleton Pike) access control from I-465 to 65th Street, Lawrence; Des #1900157

**County/Site info:** Marion

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

**Regulatory Assessment:** This proposal may require the formal approval of our agency pursuant to the Flood Control Act (IC 14-28-1) for any proposal to construct, excavate, or fill in or on the floodway of a stream or other flowing waterbody which has a drainage area greater than one square mile, unless it qualifies for a bridge exemption (see enclosure) or qualifies under the INDOT and IDNR Memorandum of Understanding for Maintenance Activity Exemption, dated March 1997. Please include a copy of this letter with the permit application, if required.

**Natural Heritage Database:** The Natural Heritage Program's data have been checked. To date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity. However, Veteran's Memorial Park (Lawrence Parks and Rec), a LWCF property, is located immediately within the easternmost portion of the project area.

**Fish & Wildlife Comments:** The project generally appears to mostly be contained primarily within the existing right-of-way limits with only a total of 1.47 acres of right-of-way acquisition. However, it is unclear if any work is proposed to any existing stream crossing structures. It is also unclear what impacts will occur from constructing a sidewalk from Mitthoeffer Road to 56th Street. Clarifying the potential for impacts in these areas is recommended for any future coordination.

Avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts. The following are recommendations that address potential impacts identified in the proposed project area:

**1) Stream Crossing Design:**

If any stream crossing replacements or modifications are proposed for this project, the Environmental Unit recommends bridges rather than culverts and bottomless culverts rather than box or pipe culverts for purposes of maintaining fish and wildlife passage through a crossing structure. Wide culverts are better than narrow culverts, and culverts with shorter through lengths are better than culverts with longer through lengths. If box or pipe culverts are used, the bottoms should be buried a minimum of 6" (or 20% of the culvert height/pipe diameter, whichever is greater up to a maximum of 2') below the stream bed elevation to allow a natural streambed to form within or under the crossing structure. Crossings should: span the entire channel width (a minimum of 1.2

**Attachments:** A - Bridge Exemption Criteria



**State of Indiana**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Fish and Wildlife**  
**Early Coordination/Environmental Assessment**

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times the OHWM width); maintain the natural stream substrate within the structure; and have stream depth, channel width, and water velocities during low-flow conditions that are approximate to those in the natural stream channel. Banklines should be restored within box and pipe structures to allow for wildlife passage above the ordinary highwater mark.

The new, replacement, or rehabbed structure, and any bank stabilization under the structure, should not create conditions that are less favorable for wildlife passage under the structure compared to the current conditions. Upgrading wildlife passage for replacement/rehabilitated structures is recommended whenever possible to improve wildlife/vehicle safety. White-tailed deer passage must be incorporated into all new structures where no structure previously existed. Minimum structure dimensions for white-tailed deer passage are 20 feet of width clearance (overall span of the structure) and 8 feet of height clearance measured from the OHWM. Bank lines must be restored within structures to allow for wildlife passage above the ordinary high water mark. All wildlife passage designs must include a smooth level pathway a minimum of 1-2 feet in width composed of natural substrate (soil, sand, gravel, etc.) or compacted aggregate fill over riprap (#2, #53, #73, etc.) tied into existing elevations both upstream and downstream.

There are a number of techniques and materials for incorporating wildlife passage into the design of a crossing structure if restoring bank lines is not an option. Coordination with the Regional Environmental Biologist to address wildlife passage issues before submitting a permit application, if required, is encouraged to avoid delays in the permitting process. The following links are good resources to consider in the design of stream crossing structures to maintain fish and wildlife passage:

<http://www.fs.fed.us/wildlifecrossings/library/>,  
[https://roadecology.ucdavis.edu/files/content/projects/DOT-FHWA\\_Wildlife\\_Crossing\\_Structures\\_Handbook.pdf](https://roadecology.ucdavis.edu/files/content/projects/DOT-FHWA_Wildlife_Crossing_Structures_Handbook.pdf), [https://www.fs.fed.us/biology/nsaec/fishxing/aop\\_pdfs.html](https://www.fs.fed.us/biology/nsaec/fishxing/aop_pdfs.html),  
<https://www.fhwa.dot.gov/engineering/hydraulics/pubs/11008/hif11008.pdf>.

**2) Bank Stabilization:**

Some form of bank stabilization is almost always needed with the construction, repair, replacement, or modification of a stream channel or crossing structure. For streambank stabilization and erosion control, regrading to a stable slope (2:1 or shallower) and establishing native vegetation along the banks are typically the most effective techniques. A variety of methods to accomplish this include: planting plugs, whips, container stock, seeding, and live stakes. In addition to vegetation establishment, some additional level of bioengineered bank stabilization may be needed under certain circumstances (inability to regrade to a stable slope, flow velocities that exceed the limits of vegetation alone, etc.). Combining vegetation with any of the following bank stabilization methods can provide additional bank protection while not compromising benefits to fish, wildlife, and botanical resources: geotextiles (erosion control blankets and/or turf reinforcement mats that are heavy-duty, biodegradable, and net free or that use loose-woven / Leno-woven netting to minimize the entrapment and snaring of small-bodied wildlife such as snakes and turtles), vegetated geogrids or soil lifts, fiber rolls, glacial stone, or riprap. Information about bioengineering techniques can be found at the following is a link USDA/NRCS document that outlines many different bioengineering techniques for streambank stabilization:  
<http://directives.sc.egov.usda.gov/17553.wba>.

Riprap or other hard bank stabilization materials should be used only at the toe of the sideslopes up to the ordinary high water mark (OHWM) with the exception of areas directly under bridges for instance. The banks above the OHWM should be restored, stabilized, and revegetated using geotextiles and a mixture of grasses, sedges, wildflowers, shrubs, and trees native to Central Indiana and specifically for stream



**State of Indiana  
DEPARTMENT OF NATURAL RESOURCES  
Division of Fish and Wildlife  
Early Coordination/Environmental Assessment**

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bank/floodway stabilization purposes as soon as possible upon completion.

**3) Riparian Habitat:**

We recommend a mitigation plan be developed (and submitted with the permit application, if required) for any unavoidable habitat impacts that will occur. The DNR's Habitat Mitigation Guidelines (and plant lists) can be found online at:  
<http://iac.iga.in.gov/iac/20200527-IR-312200284NRA.xml.pdf>.

Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to non-wetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, 1 inch to 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10" dbh or greater (5:1 mitigation based on the number of large trees) or by using the 1:1 replacement ratio based on area depending on the type of habitat impacted (individual canopy tree removal in an urban streetscape or park-like environment versus removal of habitat supporting a tree canopy, woody understory, and herbaceous layer). Impacts under 0.10 acre in an urban area may still involve the replacement of large diameter trees but typically do not require any additional mitigation or additional plantings beyond seeding and stabilizing disturbed areas. There are exceptions for high quality habitat sites however.

**4) Revegetation With Native Plants:**

We highly recommend using native plants for any proposed on-site landscaping and revegetation. The following is a link to information on landscaping with native plants on the Indiana Native Plant Society (INPS) website:  
<https://indiananativeplants.org/landscaping/>.

**5) Drainage & Stormwater Management:**

The Division of Fish & Wildlife recommends considering a more sustainable approach to stormwater management. The traditional model of stormwater management aims to drain runoff as quickly as possible with the help of channels and pipes, which increases peak flows and costs of stormwater management. This type of solution only transfers drainage problems from one section of a basin to another section. A more sustainable approach should aim to rebuild the natural water cycle by using storage techniques (retention basins, constructed wetlands, raingardens, etc.) and recharging groundwater using infiltration techniques (infiltration basins or trenches, pervious pavement, etc.). Replacing the proposed raised concrete medians with a vegetated median or another stormwater storage or infiltration technique is recommended to reduce the negative impact of impervious surfaces related to the proposed project. The following links give a good overview of traditional and sustainable stormwater management systems and their pros and cons for consideration during the design of the proposed project:  
<https://www.epa.gov/greeningepa/epa-facility-stormwater-management>;  
<https://www.epa.gov/greeningepa/stormwater-management-practices-epa-facilities>

Pavement upgrade and rehabilitation projects typically do not have a significant impact on fish, wildlife, and botanical resources as long as best management practices (BMPs) are in place to limit the migration of Polycyclic aromatic hydrocarbons (PAHs) into local waterways. PAHs are a byproduct of asphalt and coal tar based sealants. The use of sealants that are free of petroleum and coal tar based products is encouraged whenever possible. Contaminated road runoff can significantly impact the aquatic environment through increased turbidity and release of sediment into a stream, which can be harmful to fish and other aquatic organisms, their eggs, and their food supply. Where possible, road runoff should be directed to riprap turnouts and sediment filtration prior to entering a stream to reduce impacts to aquatic species.



**State of Indiana  
DEPARTMENT OF NATURAL RESOURCES  
Division of Fish and Wildlife  
Early Coordination/Environmental Assessment**

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**6) LED Lighting:**

The need for new lighting was not mentioned in the submitted information, but could potentially be needed in certain areas. Most transportation corridor designers and municipalities are trending toward LED lighting. Certain types of LED lighting can have negative impacts on both human and wildlife health and safety. The Division of Fish and Wildlife strongly encourages visiting the International Dark-Sky Association's website to learn more about the potential negative impacts of improperly selected LED lighting systems, if required:

<https://www.darksky.org/our-work/lighting/lighting-for-citizens/led-guide/>.

The additional measures listed below should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources:

1. Revegetate all bare and disturbed areas that are not currently mowed and maintained with a mixture of grasses, sedges, and wildflowers native to Central Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion; turf-type grasses (including low-endophyte, friendly endophyte, and endophyte free tall fescue but excluding all other varieties of tall fescue) may be used in currently mowed areas only. A native herbaceous seed mixture must include at least 5 species of grasses and sedges and 5 species of wildflowers.
2. Minimize and contain within the project limits inchannel disturbance and the clearing of trees and brush.
3. Do not work in the waterway from April 1 through June 30 without the prior written approval of the Division of Fish and Wildlife.
4. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
5. Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds.
6. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids.
7. Do not use broken concrete as riprap.
8. Underlay the riprap with a bedding layer of well graded aggregate or a geotextile to prevent piping of soil underneath the riprap.
9. Minimize the movement of resuspended bottom sediment from the immediate project area.
10. Do not deposit or allow demolition/construction materials or debris to fall or otherwise enter the waterway.
11. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
12. Seed and protect all disturbed streambanks and slopes not protected by other methods that are 3:1 or steeper with erosion control blankets that are heavy-duty, biodegradable, and net free or that use loose-woven / Leno-woven netting to minimize the entrapment and snaring of small-bodied wildlife such as snakes and turtles (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.



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**State of Indiana**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Fish and Wildlife**  
**Early Coordination/Environmental Assessment**

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**Contact Staff:** Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife  
Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.

*Christie L. Stanifer*

**Date:** December 15, 2021

Christie L. Stanifer  
Environ. Coordinator  
Division of Fish and Wildlife

Attachments: A - Bridge Exemption Criteria



Lawrence Township Metropolitan School District

**Etzkorn, Kaitlyn**

---

**From:** Miles, Matt <mattmiles@msdlt.k12.in.us>  
**Sent:** Monday, December 20, 2021 10:58 AM  
**To:** Etzkorn, Kaitlyn  
**Cc:** Bender, Douglas  
**Subject:** RE: [--EXTERNAL--]: Early Coordination Letter, Des. No. 1900157

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thank you,

Matt Miles  
Director of Transportation  
MSD of Lawrence Township  
317.423.8400



METROPOLITAN SCHOOL DISTRICT  
**LAWRENCE TOWNSHIP**

---

**From:** Etzkorn, Kaitlyn <KEtzkorn@chacompanies.com>  
**Sent:** Thursday, December 16, 2021 8:46 AM  
**To:** Miles, Matt <mattmiles@msdlt.k12.in.us>  
**Cc:** Bender, Douglas <DBender@chacompanies.com>  
**Subject:** RE: [--EXTERNAL--]: Early Coordination Letter, Des. No. 1900157

Good morning Matt,

The responses can be found in orange below.

- Will there be any timing conflicts with planned construction on E 56<sup>th</sup> St? **This project is planned to start construction in late spring/summer of 2024. At this time, we don't expect any conflicts with the E. 56<sup>th</sup> Street construction.**
- Loons – please confirm large enough for school bus to safely navigate in comparison to project at 96<sup>th</sup> & Allisonville Road. I understand that there have been issues with large vehicles navigating that intersection/loon. **The Loons are being designed to accommodate large tractor-trailers and will be able to serve school buses.**
- MSDLT Transportation will relocate from 5850 Thunderbird Road to 10410 E. 52<sup>nd</sup> Street in late February 2022. Traffic flow will be impacted away from Thunderbird Road and Pendleton Pike to 52<sup>nd</sup> Street/Mitthoeffer/Pendleton Pike and 56<sup>th</sup> Street/Pendleton Pike. Specific details about the intersection of 56<sup>th</sup> St. and Pendleton Pike and Mitthoeffer and Pendleton Pike would be valuable. **The 56<sup>th</sup> Street intersection will be reconstructed as separate signalized legs that form a 'Split T' configuration with the two legs signalized separately approximately 700 feet apart. At Mitthoeffer, the intersection will be improved with an added northbound right-turn-only lane to better serve the northbound approach and give some sidestreet green time back to the Pendleton Pike mainline movements.**



In response to the East 56<sup>th</sup> Street construction, do you have any additional information on when that construction will take place?

Thank you,

**Kaitlyn Etzkorn**

Environmental Scientist II

**CHA**

Office: (317) 780-7214

Cell: (317) 473-2273

[ketzkorn@chacompanies.com](mailto:ketzkorn@chacompanies.com)

[www.chacompanies.com](http://www.chacompanies.com)



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**From:** Miles, Matt <[mattmiles@msdl.t.k12.in.us](mailto:mattmiles@msdl.t.k12.in.us)>

**Sent:** Friday, December 10, 2021 4:10 PM

**To:** Etzkorn, Kaitlyn <[KEtzkorn@chacompanies.com](mailto:KEtzkorn@chacompanies.com)>

**Subject:** RE: [--EXTERNAL--]: Early Coordination Letter, Des. No. 1900157

Kaitlyn,

The below are my thoughts when reading through the documents. Please let me know if I can be of further assistance.

- Will there be any timing conflicts with planned construction on E 56<sup>th</sup> St?
- Loons – please confirm large enough for school bus to safely navigate in comparison to project at 96<sup>th</sup> & Allisonville Road. I understand that there have been issues with large vehicles navigating that intersection/loon.
- MSDLT Transportation will relocate from 5850 Thunderbird Road to 10410 E. 52<sup>nd</sup> Street in late February 2022. Traffic flow will be impacted away from Thunderbird Road and Pendleton Pike to 52<sup>nd</sup> Street/Mitthoeffer/Pendleton Pike and 56<sup>th</sup> Street/Pendleton Pike. Specific details about the intersection of 56<sup>th</sup> St. and Pendleton Pike and Mitthoeffer and Pendleton Pike would be valuable.

Matt Miles

Director of Transportation

MSD of Lawrence Township

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**From:** Etzkorn, Kaitlyn <[KEtzkorn@chacompanies.com](mailto:KEtzkorn@chacompanies.com)>

**Sent:** Monday, December 6, 2021 10:49 AM

**To:** Miles, Matt <[mattmiles@msdl.t.k12.in.us](mailto:mattmiles@msdl.t.k12.in.us)>

**Subject:** RE: [--EXTERNAL--]: Early Coordination Letter, Des. No. 1900157

Good morning Matt,



Thank you for reaching out! We have a 30 day response period and the letter was sent out November 16<sup>th</sup>. If you could get it back to me by December 16<sup>th</sup> that would be great! You can respond with feedback that doesn't focus on environmental impacts. I am assuming you are talking about maintenance of traffic, which we do consider environmental impacts. The best format would be through email, then I can print to pdf.

Please let me know if you have any other questions!

Thank you,

**Kaitlyn Etzkorn**

Environmental Scientist II

**CHA**

Office: (317) 780-7214

Cell: (317) 473-2273

[ketzorn@chacompanies.com](mailto:ketzorn@chacompanies.com)

[www.chacompanies.com](http://www.chacompanies.com)



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**From:** Miles, Matt <[mattmiles@msdl.t.k12.in.us](mailto:mattmiles@msdl.t.k12.in.us)>

**Sent:** Monday, December 6, 2021 7:59 AM

**To:** Etzkorn, Kaitlyn <[KEtzorn@chacompanies.com](mailto:KEtzorn@chacompanies.com)>

**Subject:** [--EXTERNAL--]: Early Coordination Letter, Des. No. 1900157

Kaitlyn,

Good morning!

I received your request for feedback re: the above referenced project on US 36/Pendleton Pike. I am gathering feedback from my team as well.

A couple of questions:

- By what date do you need feedback?
- Our feedback may be more general in nature and not necessarily focused on environmental impacts only. Any issues with that?
- Do you have a preferred format for feedback?

Thank you,

Matt Miles

Director of Transportation

MSD of Lawrence Township



**Etzkorn, Kaitlyn**

**From:** Wayne Shotwell <wshotwell@belletire.com>  
**Sent:** Wednesday, April 13, 2022 6:33 AM  
**To:** Etzkorn, Kaitlyn  
**Subject:** [--EXTERNAL--]: RE: Belle Tire Store #161 NPDES INRA03288

Thanks Kaitlyn. I appreciate the heads up.

Reagrds,

## Wayne A. Shotwell

Chief Operating Officer

Belle Tire Distributors, Inc.  
1000 Enterprise Dr. | Allen Park, MI 48101  
office: 313.203.2195 | cell:248-444-9539  
[belletire.com](http://belletire.com) | [facebook](#) | [twitter](#) | [youtube](#)

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**From:** Etzkorn, Kaitlyn <KEtzkorn@chacompanies.com>  
**Sent:** Tuesday, April 12, 2022 3:57 PM  
**To:** Wayne Shotwell <wshotwell@belletire.com>  
**Subject:** Belle Tire Store #161 NPDES INRA03288

Mr. Wayne Shotwell,

My firm is tasked with design and project development, on behalf of Indiana Department of Transportation (INDOT) of US 36 (Pendleton Pike) Access Control Project. This project involves a 5.53 mile strip along US 36 from I-465 to 65<sup>th</sup> Street, in Marion County, Indiana (Des. No. 1900157). Construction is expected to occur during the 2023 construction season (typically March to October).

INDOT-SAM has requested we follow-up with coordination on the NPDES permits for the below site due to potential impacts (attached are the preliminary plans for the project):

- **Belle Tire Store #161 ( 9535 Pendleton Pike, INRA03288)**

Please let me know if you need any additional information.

Thank you,

**Kaitlyn Etzkorn**



Village Pantry LLC

**Etzkorn, Kaitlyn**

---

**From:** Maniet, Loic <Imaniet@idem.IN.gov>  
**Sent:** Thursday, April 14, 2022 1:20 PM  
**To:** Etzkorn, Kaitlyn  
**Subject:** [--EXTERNAL--]: RE: Village Pantry (10950 Pendleton Pike; AI 18759)

Kaitlyn,

I reviewed the information of the former Village Pantry which was located at 10950 Pendleton Pike (Facility ID 7021).

All USTs have been removed. Four (4) were removed in 1989 and three (3) were removed in 2006. Closure information was available in the file.

A LUST Incident was granted a No Further Action (NFA) Unconditional on May 31, 2010.

Loic

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**From:** Etzkorn, Kaitlyn <KEtzkorn@chacompanies.com>  
**Sent:** Tuesday, April 12, 2022 2:28 PM  
**To:** Maniet, Loic <Imaniet@idem.IN.gov>  
**Subject:** RE: Village Pantry (10950 Pendleton Pike; AI 18759)

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Good Afternoon,

I am reaching out again concerning a site a LUST site **Village Pantry (10950 Pendleton Pike; AI 18759)**. Please see below for further information. Please note I attached select pages of draft plans to condense the plans.

Thank you,

**Kaitlyn Etzkorn**  
Environmental Scientist III  
**CHA**  
Office: (317) 780-7214  
Cell: (317) 473-2273  
[ketzkorn@chacompanies.com](mailto:ketzkorn@chacompanies.com)  
[www.chacompanies.com](http://www.chacompanies.com)



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## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

Phone: (812) 334-4261 Fax: (812) 334-4273

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>



In Reply Refer To:

April 18, 2022

Project Code: 2022-0030683

Project Name: US 36 (Pendleton Pike) Access Control Des 1900157

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at - <http://www.fws.gov/midwest/endangered/section7/s7process/index.html>. This website contains step-by-step instructions which will help you



determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process. For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of



Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment(s):

- Official Species List
- Migratory Birds
- Wetlands



## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Indiana Ecological Services Field Office**

620 South Walker Street  
Bloomington, IN 47403-2121  
(812) 334-4261



## Project Summary

**Project Code:** 2022-0030683  
**Event Code:** None  
**Project Name:** US 36 (Pendleton Pike) Access Control Des 1900157  
**Project Type:** Government / Municipal (Non-Military) Construction  
**Project Description:** The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), is proposing to proceed with an access control project on US 36 (Pendleton Pike), from I-465 to 65th Street, in Lawrence, Marion County, Indiana. This project will install a center raised concrete median to replace the two-lane left turn lane (TWLTL). Loops will be constructed near Mowery Street, Geneva Avenue, Shelia Drive, and Teresa Lane to improve safety. Drainage work is anticipated at the US 36 and Geneva Avenue, US 36 and 52nd Street, US 36 and Wheel Estate Drive, US 36 and 56th Street, and US 36 and Thunderbird Road intersections. Sidewalk will be installed from Mitthoeffer Road to 56th Street to connect pedestrian routes along the corridor. Curb ramps will be installed at US 36 and Geneva Avenue, US 36 and Teresa Lane, US 36 on the Walmart entrance, US 36 and Mitthoeffer Road, US 36 and 56th Street, and US 36 and Thunderbird Road. The US 36 and Thunderbird Road intersection will be converted from a 3-leg to a 4-leg signalized intersection. The 4th leg will connect to existing commercial facilities approximately 200 feet south of US 36. The existing traffic signal dual-diagonals will be replaced with box-spans to improve sight distance, additional signal coordination will be supplementary to various intersections. Traffic Signal Poles are expected to be installed at the US 36 and Franklin Street, US 36 and Mitthoeffer Street, and US 36 and 56th Street intersections. Modification to Mitthoeffer Road intersection will add a 200-foot northbound right turn lane to eastbound US 36. It is anticipated that 1.74 acres of permanent right-of-way (ROW) will be required for this project and approximately 0.6 acre of temporary ROW. Land use in the project area consists of primarily commercial use with residential properties dispersed throughout. There is no suitable summer habitat within the project area; however, there is suitable summer habitat adjacent to the project area. Approximately 16 trees (1.44 acres) will be removed as a result of this project. Permanent lighting will be installed, as new traffic lights, and temporary lighting might be used during the construction process. A review of the USFWS database on December 21, 2020, did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. Work will occur between fall 2023 and fall 2024.

**Project Location:**

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@39.85400165,-85.99043380457303,14z>





Counties: Marion County, Indiana



## Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> <li>▪ Incidental take of the NLEB is not prohibited here. Federal agencies may consult using the 4(d) rule streamlined process. Transportation projects may consult using the programmatic process. See <a href="http://www.fws.gov/midwest/endangered/mammals/nleb/index.html">www.fws.gov/midwest/endangered/mammals/nleb/index.html</a></li> </ul> Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

## Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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## Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

- 
1. The [Migratory Birds Treaty Act](#) of 1918.
  2. The [Bald and Golden Eagle Protection Act](#) of 1940.
  3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
<b>Bald Eagle <i>Haliaeetus leucocephalus</i></b> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Oct 15 to Aug 31
<b>Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9399">https://ecos.fws.gov/ecp/species/9399</a>	Breeds May 15 to Oct 10



NAME	BREEDING SEASON
<b>Cerulean Warbler <i>Dendroica cerulea</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/2974">https://ecos.fws.gov/ecp/species/2974</a>	Breeds Apr 21 to Jul 20
<b>Henslow's Sparrow <i>Ammodramus henslowii</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/3941">https://ecos.fws.gov/ecp/species/3941</a>	Breeds May 1 to Aug 31
<b>Kentucky Warbler <i>Oporornis formosus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 20
<b>Prothonotary Warbler <i>Protonotaria citrea</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 1 to Jul 31
<b>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
<b>Rusty Blackbird <i>Euphagus carolinus</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
<b>Wood Thrush <i>Hylocichla mustelina</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

## Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for



that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

### Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (|)

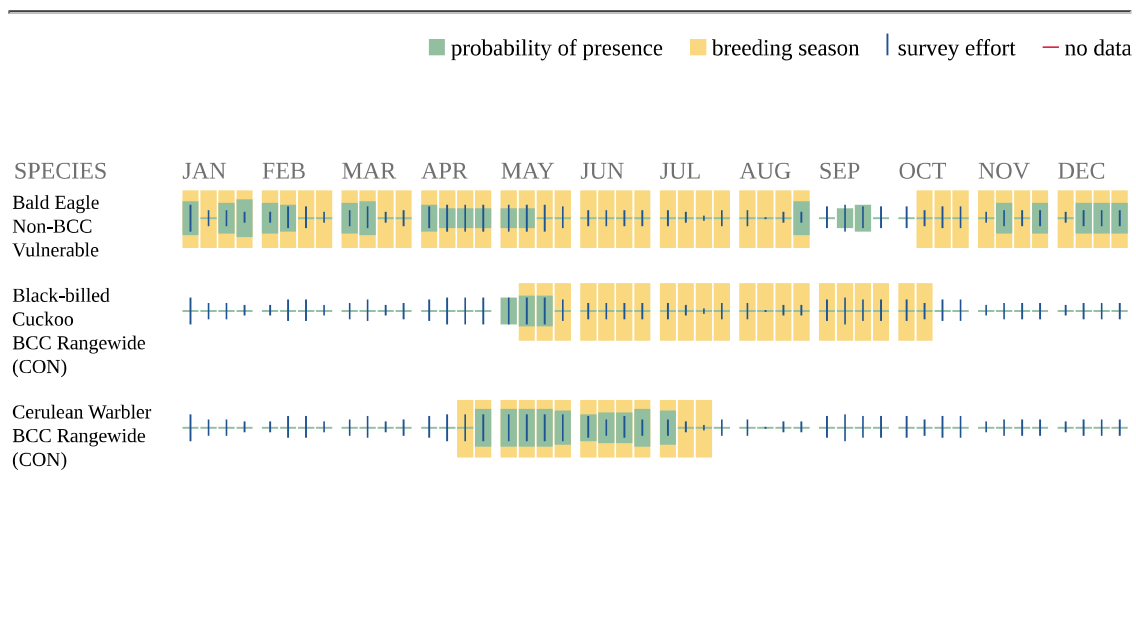
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

### No Data (—)

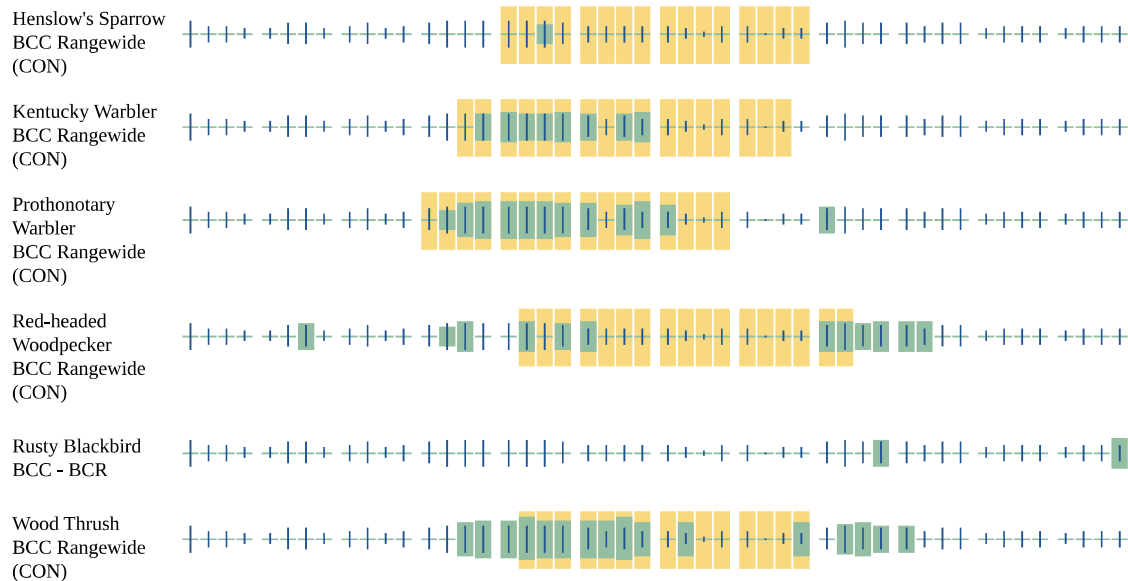
A week is marked as having no data if there were no survey events for that week.

### Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.







Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

## Migratory Birds FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.



The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

**What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

**How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

**What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).



Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

**Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

**What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

**Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.



## Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

WETLAND INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED.  
PLEASE VISIT [HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML](https://www.fws.gov/wetlands/data/mapper.html) OR CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.



**IPaC User Contact Information**

Agency: CHA Consulting  
Name: Mackenzie Knotts  
Address: 201 N. Illinois Street  
Address Line 2: Suite 800  
City: INDIANAPOLIS  
State: IN  
Zip: 46204  
Email: mknotts@chacompanies.com  
Phone: 3177807101

**Lead Agency Contact Information**

Lead Agency: Federal Highway Administration





## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

Phone: (812) 334-4261 Fax: (812) 334-4273

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>



In Reply Refer To:

April 18, 2022

Project code: 2022-0030683

Project Name: US 36 (Pendleton Pike) Access Control Des 1900157

Subject: Concurrence verification letter for the 'US 36 (Pendleton Pike) Access Control Des 1900157' project under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated April 18, 2022 to verify that the **US 36 (Pendleton Pike) Access Control Des 1900157** (Proposed Action) may rely on the concurrence provided in the February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, and may affect, but is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*). Consultation with the Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) is required.

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances,

Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

**For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:** If your initial bridge/culvert or structure assessments failed to detect Indiana bats, but you later detect bats prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service.

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or Northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required. If the Proposed Action may affect any other federally-listed or proposed species, and/or any designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please contact this Service Office.

The following species may occur in your project area and **are not** covered by this determination:

- Monarch Butterfly *Danaus plexippus* Candidate



## Project Description

The following project name and description was collected in IPaC as part of the endangered species review process.

### **Name**

US 36 (Pendleton Pike) Access Control Des 1900157

### **Description**

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), is proposing to proceed with an access control project on US 36 (Pendleton Pike), from I-465 to 65th Street, in Lawrence, Marion County, Indiana. This project will install a center raised concrete median to replace the two-lane left turn lane (TWLTL). Loops will be constructed near Mowery Street, Geneva Avenue, Shelia Drive, and Teresa Lane to improve safety. Drainage work is anticipated at the US 36 and Geneva Avenue, US 36 and 52nd Street, US 36 and Wheel Estate Drive, US 36 and 56th Street, and US 36 and Thunderbird Road intersections. Sidewalk will be installed from Mitthoeffer Road to 56th Street to connect pedestrian routes along the corridor. Curb ramps will be installed at US 36 and Geneva Avenue, US 36 and Teresa Lane, US 36 on the Walmart entrance, US 36 and Mitthoeffer Road, US 36 and 56th Street, and US 36 and Thunderbird Road. The US 36 and Thunderbird Road intersection will be converted from a 3-leg to a 4-leg signalized intersection. The 4th leg will connect to existing commercial facilities approximately 200 feet south of US 36. The existing traffic signal dual-diagonals will be replaced with box-spans to improve sight distance, additional signal coordination will be supplementary to various intersections. Traffic Signal Poles are expected to be installed at the US 36 and Franklin Street, US 36 and Mitthoeffer Street, and US 36 and 56th Street intersections. Modification to Mitthoeffer Road intersection will add a 200-foot northbound right turn lane to eastbound US 36. It is anticipated that 1.74 acres of permanent right-of-way (ROW) will be required for this project and approximately 0.6 acre of temporary ROW. Land use in the project area consists of primarily commercial use with residential properties dispersed throughout. There is no suitable summer habitat within the project area; however, there is suitable summer habitat adjacent to the project area. Approximately 16 trees (1.44 acres) will be removed as a result of this project. Permanent lighting will be installed, as new traffic lights, and temporary lighting might be used during the construction process. A review of the USFWS database on December 21, 2020, did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. Work will occur between fall 2023 and fall 2024.

## Determination Key Result

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the threatened Northern long-eared bat, therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required. However, also based on your answers provided, this project may rely on the concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

## Qualification Interview

1. Is the project within the range of the Indiana bat<sup>[1]</sup>?

[1] See [Indiana bat species profile](#)

**Automatically answered**

Yes

2. Is the project within the range of the Northern long-eared bat<sup>[1]</sup>?

[1] See [Northern long-eared bat species profile](#)

**Automatically answered**

Yes

3. Which Federal Agency is the lead for the action?

*A) Federal Highway Administration (FHWA)*

4. Are *all* project activities limited to non-construction<sup>[1]</sup> activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

[1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces<sup>[1]</sup>?

[1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No

6. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum<sup>[1]</sup>?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

7. Is the project located **within** a karst area?

No



8. Is there *any* suitable<sup>[1]</sup> summer habitat for Indiana Bat or NLEB **within** the project action area<sup>[2]</sup>? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the [User's Guide for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat](#).

Yes

9. Will the project remove *any* suitable summer habitat<sup>[1]</sup> and/or remove/trim any existing trees **within** suitable summer habitat?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

Yes

10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

No

11. Have presence/probable absence (P/A) summer surveys<sup>[1][2]</sup> been conducted<sup>[3][4]</sup> **within** the suitable habitat located within your project action area?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

[3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

[4] Negative presence/probable absence survey results obtained using the [summer survey guidance](#) are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

No

12. Does the project include activities **within documented Indiana bat habitat**<sup>[1][2]</sup>?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

*No*

13. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented Indiana bat** roosting/foraging habitat or travel corridors?

*Yes*

14. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented Indiana bat** roosting/foraging habitat or travel corridors occur<sup>[1]</sup>?

[1] Coordinate with the local Service Field Office for appropriate dates.

*B) During the inactive season*

15. Does the project include activities **within documented NLEB habitat**<sup>[1][2]</sup>?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

*No*

16. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors?

*Yes*

17. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur?

*B) During the inactive season*

18. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces?

*Yes*

19. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?

*No*



20. Are *all* trees that are being removed clearly demarcated?  
Yes
21. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?  
No
22. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?  
No
23. Does the project include slash pile burning?  
No
24. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?  
No
25. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)  
No
26. Will the project involve the use of **temporary** lighting *during* the active season?  
Yes
27. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **temporary** lighting will be used?  
Yes
28. Will the project install new or replace existing **permanent** lighting?  
Yes
29. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **permanent** lighting will be installed or replaced?  
Yes
30. Does the project include percussives or other activities (**not including tree removal/trimming or bridge/structure work**) that will increase noise levels above existing traffic/background levels?  
No
31. Are *all* project activities that are **not associated with** habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives, limited to actions that DO NOT cause any additional stressors to the bat species?

Examples: lining roadways, unlighted signage , rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

Yes

32. Will the project raise the road profile **above the tree canopy**?

No

33. Are the project activities that are not associated with habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives consistent with a No Effect determination in this key?

**Automatically answered**

*Yes, other project activities are limited to actions that DO NOT cause any additional stressors to the bat species as described in the BA/BO*

34. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

**Automatically answered**

*Yes, because the tree removal/trimming that occurs outside of the Indiana bat's active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost.*

35. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

**Automatically answered**

*Yes, because the tree removal/trimming that occurs outside of the NLEB's active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost.*

36. **General AMM 1**

Will the project ensure *all* operators, employees, and contractors working in areas of known or presumed bat habitat are aware of *all* FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

Yes

37. **Tree Removal AMM 1**

Can *all* phases/aspects of the project (e.g., temporary work areas, alignments) be modified, to the extent practicable, to avoid tree removal<sup>[1]</sup> in excess of what is required to implement the project safely?

Note: Tree Removal AMM 1 is a minimization measure, the full implementation of which may not always be practicable. Projects may still be NLAA as long as Tree Removal AMMs 2, 3, and 4 are implemented and LAA as long as Tree Removal AMMs 3, 5, 6, and 7 are implemented.

[1] The word "trees" as used in the AMMs refers to trees that are suitable habitat for each species within their range. See the USFWS' current summer survey guidance for our latest definitions of suitable habitat.

Yes



38. **Tree Removal AMM 3**

Can tree removal be limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits)?

Yes

39. **Tree Removal AMM 4**

Can the project avoid cutting down/removal of *all* (1) **documented**<sup>[1]</sup> Indiana bat or NLEB roosts<sup>[2]</sup> (that are still suitable for roosting), (2) trees **within** 0.25 miles of roosts, and (3) documented foraging habitat any time of year?

[1] The word documented means habitat where bats have actually been captured and/or tracked.

[2] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry triangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

Yes

40. **Lighting AMM 1**

Will *all* **temporary** lighting be directed away from suitable habitat during the active season?

Yes

41. **Lighting AMM 2**

Does the lead agency use the BUG (Backlight, Uplight, and Glare) system developed by the Illuminating Engineering Society<sup>[1]</sup> to rate the amount of light emitted in unwanted directions?

[1] Refer to [The BUG System—A New Way To Control Stray Light](#)

Yes

42. **Lighting AMM 2**

Will the **permanent** lighting be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?

Yes

## Project Questionnaire

1. Have you made a No Effect determination for *all* other species indicated on the FWS IPaC generated species list?

N/A

2. Have you made a May Affect determination for *any* other species on the FWS IPaC generated species list?

N/A

3. How many acres<sup>[1]</sup> of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

[1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

1.44

## Avoidance And Minimization Measures (AMMs)

This determination key result includes the commitment to implement the following Avoidance and Minimization Measures (AMMs):

### TREE REMOVAL AMM 1

Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal.

### LIGHTING AMM 1

Direct temporary lighting away from suitable habitat during the active season.

### TREE REMOVAL AMM 2

Apply time of year restrictions for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/rail surface and **outside of documented** roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed.

### LIGHTING AMM 2

When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.

### TREE REMOVAL AMM 3

Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).

### TREE REMOVAL AMM 4

Do not remove **documented** Indiana bat or NLEB roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or **documented** foraging habitat any time of year.

### GENERAL AMM 1

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.



## Determination Key Description: FHWA, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat

This key was last updated in IPaC on March 22, 2022. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

**IPaC User Contact Information**

Agency: Indiana Department of Transportation  
Name: Delaney Weston  
Address: 32 S Broadway  
City: Greenfield  
State: IN  
Zip: 46140  
Email: dweston@indot.in.gov  
Phone: 3174673901

**Lead Agency Contact Information**

Lead Agency: Federal Highway Administration



## INDOT SAM Amoco U-Haul Site

### Etzkorn, Kaitlyn

---

**From:** Foheybreting, Nicole K <NFoheyBreting@indot.IN.gov>  
**Sent:** Tuesday, April 26, 2022 7:35 PM  
**To:** Etzkorn, Kaitlyn  
**Cc:** Elmore, Summer; Dagley, Doug  
**Subject:** [--EXTERNAL--]: RE: SOW Plan Question for Des 1900157 US 36 Pendleton Pike Access Control

Hi Kaitlyn –

I hope all is well and that you're having a great week so far. Thank you for reaching out regarding Des No. 1900157 and for the additional information and evaluation in relation to the project and the Amoco U-Haul site. SAM concurs that, given the scope of work in the vicinity of the site, a Phase II ESA is not warranted. Please reach out to SAM if the scope changes to include more significant excavation.

Thank you!  
Sincerely,  
Nicole

#### Nicole Fohey-Breting

Site Assessment & Management (SAM) Team Lead  
100 North Senate Avenue N758-ES  
Indianapolis, Indiana 46204  
**Office:** (317) 416-7084  
**Email:** [NFoheyBreting@indot.in.gov](mailto:NFoheyBreting@indot.in.gov)  
**Office Hours:** 8 to 4 PM



---

**From:** Etzkorn, Kaitlyn <[KEtzkorn@chacompanies.com](mailto:KEtzkorn@chacompanies.com)>  
**Sent:** Wednesday, April 13, 2022 1:42 PM  
**To:** INDOT esd.sam <[esd.sam@indot.IN.gov](mailto:esd.sam@indot.IN.gov)>  
**Cc:** Elmore, Summer <[SElmore@chacompanies.com](mailto:SElmore@chacompanies.com)>; Dagley, Doug <[ddagley@chacompanies.com](mailto:ddagley@chacompanies.com)>  
**Subject:** SOW Plan Question for Des 1900157 US 36 Pendleton Pike Access Control

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Dear INDOT SAM,

Per the Approved RFI for the US 36/Pendleton Pike Access Control Project (DES 1900157), signed January 18, 2022, the Amoco U-Haul site (855 Pendleton Pike, AI: 21838) documented petroleum contaminated soil on this property. According to the RFI "A Phase II Environmental Site Assessment is recommended. Prior to any investigation activities, a scope of work plan will be prepared and submitted to INDOT SAM for review and approval." This site is mapped directly adjacent to the project area, 0.11 mile northeast of the US 36 and Maple Lane intersection; however the work in this area is exclusively median construction, this includes 18 inches of excavation of existing pavement. No work in this area

## Tire Discounters Pendleton Pike

### Etzkorn, Kaitlyn

---

**From:** Etzkorn, Kaitlyn  
**Sent:** Tuesday, May 3, 2022 10:49 AM  
**To:** Jeremy Lifter  
**Cc:** Andrew Limke; John Timmerding; Dagley, Doug; Bender, Douglas; Jorin Zola  
**Subject:** RE: [--EXTERNAL--]: Re: Tire Discounters Pendleton Pike INRA03121

Hello All,

Sorry for the confusion I did have the wrong store. No work is being done on this property. Since your property is a NPDES facility and adjacent to the project area I was required to coordinate with you. Please let me know if there are any other questions!



Thank you,

**Kaitlyn Etzkorn**  
Environmental Scientist III  
**CHA**  
Office: (317) 780-7214  
Cell: (317) 473-2273  
[ketzcorn@chacompanies.com](mailto:ketzcorn@chacompanies.com)  
[www.chacompanies.com](http://www.chacompanies.com)







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**From:** Jeremy Lifter <[jeremy.lifter@tirediscounters.com](mailto:jeremy.lifter@tirediscounters.com)>  
**Sent:** Tuesday, May 3, 2022 9:36 AM  
**To:** Etzkorn, Kaitlyn <[KEtzkorn@chacompanies.com](mailto:KEtzkorn@chacompanies.com)>  
**Cc:** Andrew Limke <[andrew.limke@tirediscounters.com](mailto:andrew.limke@tirediscounters.com)>; John Timmerding <[john.timmerding@tirediscounters.com](mailto:john.timmerding@tirediscounters.com)>; Dagley, Doug <[DDagley@chacompanies.com](mailto:DDagley@chacompanies.com)>; Bender, Douglas <[DBender@chacompanies.com](mailto:DBender@chacompanies.com)>; Jorin Zola <[jorin.zola@tirediscounters.com](mailto:jorin.zola@tirediscounters.com)>  
**Subject:** RE: [--EXTERNAL--]: Re: Tire Discounters Pendleton Pike INRA03121

Kaitlyn,

I think you maybe looking for Discount Tire, which shares an entrance with Speedway on Pendleton Pike and the aerial image attached matches the drawing you shared. We are [Tire Discounters](#) our store on Pendleton Pike is located near the Menards and does not share any entrances with Speedway.

Feel free to let me know if this isn't correct and let me know if you have any questions.

Thanks,  
Jeremy

**Jeremy Lifter, Esq.**  
Real Estate/Legal Department  
200 West Fourth Street | Cincinnati, Ohio 45202  
Office: 513-386-6631  
Mobile: 614-460-0080  
Email: [Jeremy.lifter@tirediscounters.com](mailto:Jeremy.lifter@tirediscounters.com)



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**From:** Jorin Zola <[jorin.zola@tirediscounters.com](mailto:jorin.zola@tirediscounters.com)>  
**Sent:** Monday, May 2, 2022 11:56 PM  
**To:** Etzkorn, Kaitlyn <[KEtzkorn@chacompanies.com](mailto:KEtzkorn@chacompanies.com)>  
**Cc:** Andrew Limke <[andrew.limke@tirediscounters.com](mailto:andrew.limke@tirediscounters.com)>; John Timmerding <[john.timmerding@tirediscounters.com](mailto:john.timmerding@tirediscounters.com)>; Jeremy Lifter <[jeremy.lifter@tirediscounters.com](mailto:jeremy.lifter@tirediscounters.com)>; Dagley, Doug <[DDagley@chacompanies.com](mailto:DDagley@chacompanies.com)>; Bender, Douglas <[DBender@chacompanies.com](mailto:DBender@chacompanies.com)>  
**Subject:** Re: [--EXTERNAL--]: Re: Tire Discounters Pendleton Pike INRA03121

Are you able to show where this is on an aerial? I'm not sure I'm following the location of where this is at as it relates to our property. Furthermore I'm pretty sure we already have a sidewalk constructed in the ROW off of Pendleton Pike (further adding to the confusion).

Thanks,

**Jory Zola**  
Associate General Counsel & Director of Real Estate Development  
200 West Fourth Street | Cincinnati, Ohio 45202  
Office: 513-618-7319

Fax: 513-618-7309

Mobile: 513-659-5911

Email: [jorin.zola@tirediscounters.com](mailto:jorin.zola@tirediscounters.com)



---

**From:** Etzkorn, Kaitlyn <[KEtzkorn@chacompanies.com](mailto:KEtzkorn@chacompanies.com)>

**Date:** Monday, May 2, 2022 at 3:37 PM

**To:** Jorin Zola <[jorin.zola@tirediscounters.com](mailto:jorin.zola@tirediscounters.com)>

**Cc:** Andrew Limke <[andrew.limke@tirediscounters.com](mailto:andrew.limke@tirediscounters.com)>, John Timmerding <[john.timmerding@tirediscounters.com](mailto:john.timmerding@tirediscounters.com)>, Jeremy Lifter <[jeremy.lifter@tirediscounters.com](mailto:jeremy.lifter@tirediscounters.com)>, Dagley, Doug <[DDagley@chacompanies.com](mailto:DDagley@chacompanies.com)>, Bender, Douglas <[DBender@chacompanies.com](mailto:DBender@chacompanies.com)>

**Subject:** RE: [--EXTERNAL--]: Re: Tire Discounters Pendleton Pike INRA03121

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Good afternoon Jory,

I have talked to our engineers and it looks like at your site we will be constructing sidewalk, this will take place in existing right of way but will require a little bit of temporary right of way to construct and grade it out. Below is a screenshot of the plans. The bold line with the circles are the extent of temporary right of way and "F" is where the new sidewalk will be constructed. During construction this entrance to Tire Discounters will be open.



Please let me know if you have any more questions. I am available through email or phone.



**Kaitlyn Etzkorn**

Environmental Scientist III

**CHA**

Office: (317) 780-7214

Cell: (317) 473-2273

[ketzkorn@chacompanies.com](mailto:ketzkorn@chacompanies.com)

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---

**From:** Jorin Zola <[jorin.zola@tirediscounters.com](mailto:jorin.zola@tirediscounters.com)>

**Sent:** Friday, April 29, 2022 2:09 PM

**To:** Etzkorn, Kaitlyn <[KEtzkorn@chacompanies.com](mailto:KEtzkorn@chacompanies.com)>

**Cc:** Andrew Limke <[andrew.limke@tirediscounters.com](mailto:andrew.limke@tirediscounters.com)>; John Timmerding <[john.timmerding@tirediscounters.com](mailto:john.timmerding@tirediscounters.com)>;

Jeremy Lifter <[jeremy.lifter@tirediscounters.com](mailto:jeremy.lifter@tirediscounters.com)>

**Subject:** [--EXTERNAL--]: Re: Tire Discounters Pendleton Pike INRA03121

Hi Kaitlyn,

Sorry for the late reply. Are you able to explain exactly what impact this project is going to have on our property? Is it an eminent domain action? I have looped my construction team in on this as well.

**Jory Zola**

Associate General Counsel & Director of Real Estate Development

200 West Fourth Street | Cincinnati, Ohio 45202

Office: 513-618-7319

Fax: 513-618-7309

Mobile: 513-659-5911

Email: [jorin.zola@tirediscounters.com](mailto:jorin.zola@tirediscounters.com)



---

**From:** Etzkorn, Kaitlyn <[KEtzkorn@chacompanies.com](mailto:KEtzkorn@chacompanies.com)>

**Date:** Tuesday, April 12, 2022 at 4:10 PM

**To:** Jorin Zola <[jorin.zola@tirediscounters.com](mailto:jorin.zola@tirediscounters.com)>

**Subject:** Tire Discounters Pendleton Pike INRA03121

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Good afternoon Jorin Zola,

**From:** Turnbow, Alisha <ATurnbow@idem.IN.gov>  
**Sent:** Tuesday, June 14, 2022 12:08 PM  
**To:** Knotts, Mackenzie <MKnotts@chacompanies.com>  
**Cc:** Etzkorn, Kaitlyn <KEtzkorn@chacompanies.com>; John Havard (JHavard@citizensenergygroup.com) <JHavard@citizensenergygroup.com>  
**Subject:** [--EXTERNAL--]: RE: US 36 (Pendleton Pike) Access Control Project Des 1900157 Source Water Protection Area

Hi Mackenzie,

The project Des No 1900157 is located in Citizens Water – Indianapolis’ Source Water Assessment (SWA). The contact for Citizens Water – Indianapolis is John Havard and he can be reached at [jhavard@citizensenergygroup.com](mailto:jhavard@citizensenergygroup.com) and (317) 693-8716. Let me know what questions you have.

Sincerely,



Alisha Turnbow  
Environmental Manager  
Office of Water Quality  
Drinking Water Branch, Groundwater Section  
(317) 233-9158 • [aturnbow@idem.IN.gov](mailto:aturnbow@idem.IN.gov)

---

Indiana Department of Environmental Management



**IDEM values your feedback.**

Please take two minutes and complete this brief survey.



---

**From:** Knotts, Mackenzie <[MKnotts@chacompanies.com](mailto:MKnotts@chacompanies.com)>  
**Sent:** Tuesday, June 14, 2022 9:31 AM  
**To:** Turnbow, Alisha <[ATurnbow@idem.IN.gov](mailto:ATurnbow@idem.IN.gov)>  
**Cc:** Etzkorn, Kaitlyn <[KEtzkorn@chacompanies.com](mailto:KEtzkorn@chacompanies.com)>  
**Subject:** FW: US 36 (Pendleton Pike) Access Control Project Des 1900157 Source Water Protection Area

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Good morning Alicia,

I wanted to check on this. This project is on a tight deadline and this is our last coordination needed. Thanks in advance.

Have a great Tuesday,

**Mackenzie Knotts**  
Scientist III  
**CHA**  
Office: (317) 780-7101  
[mknotts@chacompanies.com](mailto:mknotts@chacompanies.com)  
[www.chacompanies.com](http://www.chacompanies.com)





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**From:** Knotts, Mackenzie

**Sent:** Monday, June 6, 2022 3:33 PM

**To:** 'aturnbow@idem.IN.gov' <[aturnbow@idem.IN.gov](mailto:aturnbow@idem.IN.gov)>

**Subject:** US 36 (Pendleton Pike) Access Control Project Des 1900157 Source Water Protection Area

Good Afternoon,

I have a project in Lawrence, Indiana that is in a Source Water Protection Area. Could you please provide me with the contact information for the owner of the Source Water Area? I have attached the Source Water Protection form and the Aerial and State location maps of the project area, please let me know if you need any more information.

Thank you,

**Mackenzie Knotts**

Scientist III

**CHA**

Office: (317) 780-7101

[mknotts@chacompanies.com](mailto:mknotts@chacompanies.com)

[www.chacompanies.com](http://www.chacompanies.com)



Responsibly Improving the World We Live In



## Citizens Source Water Protection Area

### Knotts, Mackenzie

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**From:** Havard, John E. <JHavard@citizensenergygroup.com>  
**Sent:** Wednesday, June 15, 2022 11:56 AM  
**To:** Knotts, Mackenzie  
**Subject:** RE: [--EXTERNAL--]: RE: US 36 (Pendleton Pike) Access Control Project Des 1900157 Source Water Protection Area

Mackenzie,

Thank you for the opportunity to comment on this project.

Our primary concern is where the project intersects Indian Creek. Attention should be focused on the area around the creek to prevent chemical, petroleum, and sediment contamination from reaching the creek. I request that any fueling operations of construction equipment be conducted well away from the creek. Also, fuel and chemical storage should be a good distance away from the creek.

**John Havard, PE**

Manager, Environmental Technical Programs

O: 317.693.8716



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**From:** Knotts, Mackenzie <MKnotts@chacompanies.com>  
**Sent:** Tuesday, June 14, 2022 3:12 PM  
**To:** Havard, John E. <JHavard@citizensenergygroup.com>  
**Subject:** FW: [--EXTERNAL--]: RE: US 36 (Pendleton Pike) Access Control Project Des 1900157 Source Water Protection Area

**WARNING:** This email originated outside of Citizens Energy Group. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

When I attach the letter is when I am getting the undeliverable. I tried again. I copied your email directly from the from line into the OneNote link, hopefully this link will work.

[https://chaconsulting-my.sharepoint.com/:b:/g/personal/mknotts\\_chacompanies\\_com/EVYd6tGXylhLmu2YwpnfZUEB9AbZWJigcgswWydeO1R8g?email=JHavard%40citizensenergygroup.com&e=4j8FTJ](https://chaconsulting-my.sharepoint.com/:b:/g/personal/mknotts_chacompanies_com/EVYd6tGXylhLmu2YwpnfZUEB9AbZWJigcgswWydeO1R8g?email=JHavard%40citizensenergygroup.com&e=4j8FTJ)

**Mackenzie Knotts**

Scientist III

**CHA**

Office: (317) 780-7101

[mknotts@chacompanies.com](mailto:mknotts@chacompanies.com)

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## **Appendix D**

### Section 106 Consultation

<b>Item</b>	<b>Appendix Page</b>
Minor Projects PA Assessment Form	D-1 to D-7

## Minor Projects PA Project Assessment Form

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**Date:** 3/14/2022

**Project Designation Number:** 1900157

**Route Number:** US36/SR67 (Pendleton Pike)

**Project Description:**

This proposed access control project would address the project need by creating a center raised concrete median to replace the two way left turn lane. Loons would be constructed near Mowery Street, Geneva Avenue, Shelia Drive, and Teresa Lane to improve safety. A loon is rounded pavement that is constructed outside of the normal traffic lanes to allow for larger vehicles to safely make a U-turn on a divided roadway. Drainage work is anticipated at the US 36 and Geneva Avenue, US 36 and 52nd Street, US 36 and Wheel Estate Drive, US 36 and 56th Street, US 36 and Teresa Lane, and US 36 and Thunderbird Road intersections. The US 36 and Thunderbird Road intersection will be converted from a 3-leg to a 4-leg signalized intersection. The 4th leg will connect to existing commercial facilities approximately 200 feet south of US 36. The existing traffic signal dual-diagonals will be replaced with box-spans to improve sight distance, additional signal coordination will be supplementary to various intersections. Traffic Signal Poles are expected to be installed at the US 36 and Franklin Street, US 36 and Mitthoeffer Street and US 36 and 56th Street intersections. Modification to Mitthoeffer Road intersection will add a 200-foot northbound right turn lane to eastbound US 36. Sidewalk will be installed from Mitthoeffer Road to 56th Street to connect pedestrian routes along the corridor. Curb ramps will be installed at US 36 and Geneva, US 36 and Teresa Lane, US 36th on the Walmart entrance, US 36 and Mitthoeffer Road, US 36 and 56th Street, and US 36 and Thunderbird Road.

Approximately 1.47 acres of is proposed for acquisition.

**Feature crossed (if applicable):** Indian Creek

**City/Township:** Lawrence Township

**County:** Marion County

**Information reviewed (please check all that apply):**

General project location map ☐ USGS map ☐ Aerial photograph ☒

Written description of project area ☐ General project area photos ☒

Previously completed archaeology reports ☒ Interim Report ☐

Previously completed historic property reports ☐

Soil survey data ☒ Bridge inspection information ☐

SHAARD ☒ SHAARD GIS ☒ Streetview Imagery ☒

**Other (please specify):** Project information prepared by Gray and Pape and dated 1/13/22, on file at INDOT-CRO;



## Minor Projects PA Project Assessment Form

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Cole, Sara

2022 US 36/SR 67 Pendleton Pike Access Control Project, from I-465 to 65th Street, in the City of Indianapolis, Lawrence Township, Marion County, Indiana (Des. No. 1900157). Gray & Pape, Indianapolis. Document on file at INDOT-CRO.

**Please specify all applicable categories and condition(s) (conditions that are applicable are highlighted):**

B.1. Replacement, repair, or installation of curbs, curb ramps, or sidewalks, including when such projects are associated with roadway work such as surface replacement, reconstruction, rehabilitation, or resurfacing projects, including overlays, shoulder treatments, pavement repair, seal coating, pavement grinding, and pavement marking, under the following conditions ***[BOTH Condition A, which pertains to Archaeological Resources, and Condition B, which pertains to Above-Ground Resources, must be satisfied]***:

**Condition A (Archaeological Resources)**

One of the two conditions listed below must be satisfied (*EITHER Condition i or Condition ii must be satisfied*):

- i. Work occurs in previously disturbed soils; *OR*
- ii. Work occurs in undisturbed soils and an archaeological investigation conducted by the applicant and reviewed by INDOT Cultural Resources Office determines that no National Register-listed or potentially National Register-eligible archaeological resources are present within the project area. If the archaeological investigation locates National Register-listed or potentially National Register-eligible archaeological resources, then full Section 106 review will be required. Copies of any archaeological reports prepared for the project will be provided to the Division of Historic Preservation and Archaeology (DHPA) and any archaeological site form information will be entered directly into the State Historic Architectural and Archaeological Database (SHAARD) by the applicant. The archaeological reports will also be available for viewing (by Tribes only) on INSCOPE.

**Condition B (Above-Ground Resources)**

One of the two conditions listed below must be satisfied (*EITHER Condition i or Condition ii must be satisfied*):

- i. Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource; *OR*
- ii. Work occurs adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource under one of the two additional conditions listed below (*EITHER Condition a OR Condition b must be met and field work and documentation must be completed as described below*):
  - a. No unusual features, including but not limited to historic brick or stone sidewalks, curbs or curb ramps, stepped or elevated sidewalks and historic brick or stone retaining walls are present in the project area adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource; *OR*
  - b. Unusual features, including but not limited to historic brick or stone sidewalks, curbs or curb ramps, stepped or elevated sidewalks and historic brick or stone retaining walls are present in the project area adjacent to or within a National Register-listed or National Register-eligible individual above-ground resource or district and ANY ONE of the conditions (1, 2, or 3) listed below must be fulfilled:

## Minor Projects PA Project Assessment Form

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1. Unusual features described above will not be impacted by the project. Firm commitments regarding the avoidance of these features must be listed in the MPPA determination form and the NEPA document and must be entered into the INDOT Project Commitments Database. These projects will also be flagged for quality assurance reviews by INDOT Cultural Resources Office during/after project construction.
2. Unusual features described above have been determined not to contribute to the significance of the historic resource by INDOT Cultural Resources Office in consultation with the SHPO based on an analysis and justification prepared by their staff or review of such information from other qualified professional historians.
3. Impacts to unusual features described above have been determined by INDOT Cultural Resources Office to be so minimal that they do not diminish any of the characteristics that contribute to the significance of the historic resource, based on an analysis and justification prepared by their staff or review of such information from other qualified professional historians.

### **Field work and documentation required for fulfillment of condition B-ii:**

When the project takes place adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource, it must be field checked by INDOT Cultural Resources Office staff or other qualified professional historian (meeting the Secretary of Interior's Professional Qualification standards [48 Federal Register (FR) 44716]) and photographic documentation must be prepared illustrating both the presence and/or absence of any unusual features along the project route adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource. This documentation must be submitted to INDOT Cultural Resources Office for review.

The only exception would be when it is determined that previous projects along the project route have eliminated the possibility that unusual features adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource exist. In this situation, documentation illustrating the modifications made through previous projects, such as replacement of curbs, curb ramps, or sidewalks, including plan sheets or contract documents and current photographs of the project area, must be submitted to the INDOT Cultural Resources Office for review. With such approved documentation, a site visit by a qualified professional is not required, unless questions arise during the review process. INDOT Cultural Resources Office has the discretion to require the project applicant's qualified professional conduct a site visit when it is not clear if unusual features may be present in the project area.

- B-2. Installation of new lighting, signals, signage and other traffic control devices under the following conditions ***[BOTH Condition A, which pertains to Archaeological Resources, and Condition B, which pertains to Above-Ground Resources, must be satisfied]***:

### **Condition A (Archaeological Resources)**

One of the two conditions listed below must be met (*EITHER Condition i or Condition ii must be satisfied*):

- i. Work occurs in previously disturbed soils; *OR*
- ii. Work occurs in undisturbed soils and an archaeological investigation conducted by the applicant and reviewed by INDOT Cultural Resources Office determines that no National Register-listed or potentially National Register-eligible archaeological resources are present within the project area. If the archaeological investigation locates National Register-listed or potentially National Register-eligible archaeological resources, then full Section 106 review will be required. Copies of any archaeological reports prepared for the project will be provided to the DHPA and any archaeological site form



## Minor Projects PA Project Assessment Form

information will be entered directly into the SHAARD by the applicant. The archaeological reports will also be available for viewing (by Tribes only) on INSCOPE.

### **Condition B (Above-Ground Resources)**

Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource; and

- B.3. Construction of added travel, turning, or auxiliary lanes (e.g., bicycle, truck climbing, acceleration and deceleration lanes) and shoulder widening under the following conditions ***[BOTH Condition A, which pertains to Archaeological Resources, and Condition B, which pertains to Above-Ground Resources, must be satisfied]***:

### **Condition A (Archaeological Resources)**

One of the two conditions listed below must be met (*EITHER Condition i or Condition ii must be satisfied*):

- i. Work occurs in previously disturbed soils; *OR*
- ii. Work occurs in undisturbed soils and an archaeological investigation conducted by the applicant and reviewed by INDOT Cultural Resources Office determines that no National Register-listed or potentially National Register-eligible archaeological resources are present within the project area. If the archaeological investigation locates National Register-listed or potentially National Register-eligible archaeological resources, then full Section 106 review will be required. Copies of any archaeological reports prepared for the project will be provided to the DHPA and any archaeological site form information will be entered directly into the SHAARD by the applicant. The archaeological reports will also be available for viewing (by Tribes only) on INSCOPE.

### **Condition B (Above-Ground Resources)**

Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource.

Are there any commitments associated with this project? If yes, please explain and include in the Additional Comments Section below.      yes ☐      no ☒

Does the project result in a de minimis impact to a Section 4(f) protected historic resource? If yes, please explain in the Additional Comments Section below.      yes ☐      no ☒

### **Additional Comments:**

#### **Above-ground Resources**

An INDOT Cultural Resources Office (CRO) historian, who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61 performed a desktop review. The project occurs in a primarily modern suburban commercial corridor.

The Indiana Register of Historic Sites and Structures (State Register) and National Register of Historic Places (National Register) lists for Marion County was referenced. One National Register listed property was identified along the project corridor, the Christopher Apple House (NR-0188) at 11663 Pendleton Pike.

The Indiana Historic Sites and Structures Inventory (IHSSI) was checked via the Indiana Historic Building, Bridges, and Cemeteries Map (IHBBM) and the State Historical Architectural and Archaeological Research Database (SHAARD). There are properties rated 'Notable' and 'Outstanding' along the project corridor including:

## Minor Projects PA Project Assessment Form

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- Site # 097-144-00123-Rated Notable-a Tudor Revival house at 11305 Pendleton Pike
- Site # 097-144-00175-Rated Outstanding-NE corner of US 36 and Pendleton Pike-now demolished-Speedway gas station
- Site # 097-144-00125-Hoss Cemetery-10781 Pendleton Pike, rated Notable
- Site # 097-144-00122-Indian Creek Bridge-HB-1407, rated Notable-since replaced with existing structure in approximately 2005

In addition to these resources, CRO QP staff reviewed aerial imagery and street level imagery to assess the potential for any eligible properties not previously surveyed.

While there is a mid-twentieth century neighborhood southeast of the project area, it is separated by a large wooded area and the campground. No further analysis is warranted as it will not be affected by the project.

Based on the available information, as summarized above, no above-ground concerns exist as long as the project scope does not change.

### **Archaeological Resources**

An INDOT-CRO archaeologist who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61 reviewed the Phase Ia field reconnaissance survey report completed for the project by Gray & Pape (Cole 2022). No archaeological sites were previously recorded within or adjacent to the project area. A 104-acre survey area was investigated through a combination of systematic shovel probing (n=68) and visual inspection of previously disturbed areas. All but two shovel probes were found to be disturbed. No archaeological sites were recorded as a result of the survey and no further work is recommended (Cole 2022). Therefore, there are no archaeological concerns as long as the project scope does not change.

**Accidental Discovery:** If any archaeological artifacts or human remains are uncovered during construction, demolition, or earth moving activities, construction within 100 feet of the discovery will be stopped, and the INDOT Cultural Resources Office and the Division of Historic Preservation and Archaeology will be notified immediately.

**INDOT Cultural Resources staff reviewer(s):** Patrick Carpenter and Matt Coon

*\*\*\*Be sure to attach this form to the National Environmental Policy Act documentation for this project. Also, the NEPA documentation shall reference and include the description of the specific stipulation in the PA that qualifies the project as exempt from further Section 106 review.*





# INDIANA ARCHAEOLOGICAL SHORT REPORT

State Form 54566 (R2 / 11-20)

## INDIANA DEPARTMENT OF NATURAL RESOURCES DIVISION OF HISTORIC PRESERVATION AND ARCHAEOLOGY

402 West Washington Street, Room W274

Indianapolis, Indiana 46204-2739

Telephone Number: (317) 232-1646

Fax Number: (317) 232-0693

E-mail: [dhpa@dnr.IN.gov](mailto:dhpa@dnr.IN.gov)

Where applicable, the use of this form is recommended but not required by the Division of Historic Preservation and Archaeology (DHPA).

Name(s) of author(s) Sara Cole	Date (month, day, year) 3/10/2022
Title of project US 36/SR 67 Pendleton Pike Access Control Project, from I-465 to 65 <sup>th</sup> Street, in the City of Indianapolis, Lawrence Township, Marion County, Indiana (Des. No. 1900157)	
This document is being used to report on the results of: <input type="checkbox"/> Records check only <input checked="" type="checkbox"/> Records check and Phase Ia archaeological reconnaissance <input type="checkbox"/> An addendum to a previous archaeological report. <i>For an addendum, provide the following information.</i>	
Name(s) of author(s) of previous report	
Title of previous report	
Date of previous report (month, day, year)	DHPA number

### PROJECT OVERVIEW

#### Description of project

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with an access control project on US 36 (Pendleton Pike), from I-465 to 65th Street, in Lawrence, Marion County, Indiana (see attached Figure 1).

This proposed access control project would address the project need by creating a center raised concrete median to replace the two way left turn lane. Loons would be constructed near Mowery Street, Geneva Avenue, Shelia Drive, and Teresa Lane to improve safety. A loon is rounded pavement that is constructed outside of the normal traffic lanes to allow for larger vehicles to safely make a U-turn on a divided roadway. Drainage work is anticipated at the US 36 and Geneva Avenue, US 36 and 52nd Street, US 36 and Wheel Estate Drive, US 36 and 56th Street, US 36 and Teresa Lane, and US 36 and Thunderbird Road intersections. Sidewalk will be installed from Mitthoeffer Road to 56th Street to connect pedestrian routes along the corridor. Curb ramps will be installed at US 36 and Geneva, US 36 and Teresa Lane, US 36th on the Walmart entrance, US 36 and Mitthoeffer Road, US 36 and 56th Street, and US 36 and Thunderbird Road. The US 36 and Thunderbird Road intersection will be converted from a 3-leg to a 4-leg signalized intersection. The 4th leg will connect to existing commercial facilities approximately 200 feet south of US 36. The existing traffic signal dual-diagonals will be replaced with box-spans to improve sight distance, additional signal coordination will be supplementary to various intersections. Traffic Signal Poles are expected to be installed at the US 36 and Franklin Street, US 36 and Mitthoeffer Street and US 36 and 56th Street intersections. Modification to Mitthoeffer Road intersection will add a 200-foot northbound right turn lane to eastbound US 36.

The project need is the above average frequency of high severity crashes throughout the US 36 corridor, from I-465 to 65th Street. Per RoadHAT 3.0 analysis (traffic engineering safety modeling software) of 2015-2017 crash period, the most recent data available at the time of this analysis, 48% of intersections and segments throughout the corridor had an index of crash cost greater than the 1.5 threshold, prompting further study. The purpose of the project is to reduce the number of severe crashes throughout US 36 corridor, from I-465 to 65th Street. The project would also address the need for connectivity of non-motorized transportation routes along the corridor.

INDOT designation number(s) 1900157	Project number 21-63402.001	DHPA number	DHPA plan number
Prepared for: (Company / Institution / Agency) CHA Consulting, Inc.			
Name of contact Kaitlyn Etzkorn			
Address (number and street, city, state, and ZIP code) 300 S Meridian St, Indianapolis, IN 46225			
Telephone number (317)780-7214		E-mail address <a href="mailto:ketzorn@chacompanies.com">ketzorn@chacompanies.com</a>	
Name of principal investigator Jeff Laswell			
Name of company / institution Gray & Pape, Inc.			

RECOMMENDATIONS
<p>Records check <i>(Check all that apply.)</i></p> <p><input type="checkbox"/> No archaeological investigation is recommended before the project is allowed to proceed because the records check has determined that the project area does not have the potential to contain archaeological resources.</p> <p><input type="checkbox"/> A Phase Ia archaeological reconnaissance is recommended.</p> <p><input type="checkbox"/> A cemetery development plan may be required under Indiana Code 14-21-1-26.5 because project ground disturbance will be within 100 feet of a cemetery.</p>
<p>Phase Ia archaeological reconnaissance <i>(Check all that apply.)</i></p> <p><input checked="" type="checkbox"/> It is recommended that the project be allowed to proceed as planned because the Phase Ia archaeological reconnaissance has located no archaeological sites within the project area and/or previously recorded sites that were investigated warrant no additional investigation.</p> <p><input type="checkbox"/> It is recommended that Phase Ic archaeological subsurface reconnaissance be conducted before the project is allowed to proceed. The Phase Ia archaeological reconnaissance has determined that the project area includes landforms which have the potential to contain buried archaeological deposits.</p>
<p>Other recommendations / commitments</p> <p>One small area near Indian Creek is mapped as Gessie series soil. Gessie soil are Inceptisols, which have the potential to contain buried cultural deposits. However, that area consists of cut and fill sediments; graded areas, and buried utilities including a storm sewer. Shovel tests confirmed the disturbance. Due to the severe alteration of the sediments within the project corridor, Phase Ic is not needed and no further archaeological work is recommended.</p>

***Pursuant to IC-14-21-1, if any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646.***

REQUIRED ATTACHMENTS
<p><input checked="" type="checkbox"/> Figure showing project location within Indiana</p> <p><input checked="" type="checkbox"/> USGS topographic map showing the project area <i>(1:24,000 scale)</i></p> <p><input checked="" type="checkbox"/> Aerial photograph showing the project area, land use and survey methods</p> <p><input checked="" type="checkbox"/> Photographs of the project area, including, if applicable, photographs documenting disturbances</p> <p><input type="checkbox"/> Project plans <i>(if available)</i></p>
<p>Other attachments</p>
<p>References cited <i>(See short report instructions for required references to be consulted.)</i></p> <p>Ayers-Rigsby, Sara 2015 Phase I Archaeological Survey Report, Oaklandon Relo (312785 GN Oaklandon Relocation)/IN-03084. Prepared for Skyway Towers, LLC. Prepared by EBI Consulting, Pennsylvania.</p> <p>Babson, David W. 1993 Inventory Survey of Historic Period Archaeological Sites, Fort Benjamin Harrison, Marion County, Indiana. Tri-Services Cultural Resources Research Center, U.S. Army Construction Engineering Research Laboratories, Illinois.</p> <p>Branstner, Mark C. 2017 Cultural Resource Inventory Survey: Proposed Cell Tower Site, 9INX000593, Lawrence, Marion County, IN 46236. Prepared for GSS, Inc. Prepared by Great Lakes Research, LLC, Wisconsin.</p> <p>Bubb, Louis and Emily Culver 2016 Archaeological Field Reconnaissance for the Proposed Poindexter Business Park (BGP) in Lawrence Township, Marion County, Indiana. Prepared for AquaTerra Consulting, Inc. Prepared by 106 Consulting LLC, Ohio.</p> <p>Cochran, Donald R. 2004 Culture History of Indiana. Archaeological Resources Management Service, Ball State University, Muncie.</p> <p>Coughlin, Sean, Damian Miller, and Leah Konicki 2018 Supplemental Phase Ia Archaeological Records Check and Reconnaissance Survey for the Proposed IndyGo Bus Rapid Transit Purple Line Route in the City of Indianapolis, Center, Lawrence, Warren, and Washington Townships, Marion County, Indiana (DHPA No. 22038). Prepared for WSP USA, Inc. Prepared by ASC Group, Inc., Indiana.</p> <p>Helmkamp, Criss 1999 Archaeological Records Check: INDOT Project IM-465-4(), Interchange Modification at I-465 and I-70 and I-465 Mainline from 10<sup>th</sup> Street to Pendleton Pike, Des. No. 9502450, On the East Side of Indianapolis, Marion County, Indiana. Prepared for Environmental Assessment Section Division of Pre-Engineering and Environment, Indiana Department of Transportation. Prepared by Purdue University, Indiana.</p>